An abstract, textured illustration of a mountain range. The mountains are rendered in various shades of brown, tan, and cream, with visible brushstrokes or layered paper effects. The composition is dominated by the mountain peaks, with a small, flat area in the distance representing a valley or a body of water.

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COVER: Maynard Dixon, California's outstanding artist of the West, painted this view of Death Valley and the Panamint Mountains in 1943 as one of a series of works depicting the diversity of California's deserts. One hundred years after the artist's birth in Fresno, the *Quarterly* features a selection of his lesser-known works and an essay by the artist's wife, Edith Hamlin. The article begins on page 361.

California Historical Quarterly

VOLUME LIII WINTER 1974 NO. 4

J. S. HOLLIDAY, *Director*

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This late-nineteenth-century forbidding, fog-enshrouded view by Eadweard Muybridge of the Southeast Farallon Island, some twenty-odd miles off the Golden Gate, belies the little-known fact that decades earlier Yankee sea captains seeking fur skins swarmed over the island and nearly decimated its large seal and sea-lion populations. "The Farallones and the Boston Men" begins on page 309.

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When photographed in the late nineteenth century by pioneer California photographer Carleton E. Watkins, the Southeast Farallon nurtured only a small remnant of its once teeming fur-seal and sea-lion population.

The Farallones and the Boston Men

ROBIN W. DOUGHTY

*Assistant professor of geography at the University of Texas at Austin,
interested in the human impact on wildlife as a theme in historical ecology.*

THE DWELLERS in San Francisco, who, as they look upon the lonely, barren rocky islets which stand as sentinels just without their "Golden Gates," can hardly realize that very early in the present century such golden crops of furs were gathered there by 'Boston men.'¹

When the days are clear of sea fog, usually in winter and early spring, a group of barren islands is visible on the western horizon from elevated areas of San Francisco and the Marin County coastline north of the city. Seven granite rocks guard the approach to San Francisco Bay, breasting the Pacific swells more than twenty miles from the Golden Gate. These are the Farallon Islands. "Los Farallones de los Frayles" (Headlands of the Friars) was the name reportedly given to them by Juan Francisco Bodega y Quadra in 1775 in honor of the founders of Mission Dolores, whose site is in present-day San Francisco.² The current abbreviated and anglicized version of the name suggests the rugged character of the islands with their wave-cut benches, shoaled bays, and weathered cliffs and promontories.

From the mainland shore most inhabitants of the Bay Area have seen these isolated rocks, and thousands have fished for salmon close by their shores, but few have set foot on them. Only a handful of people have studied the islands' interesting, plentiful, and varied marine life. Today, however, the islands' cliffs, caves, and shallow-water environs boast only a remnant of the teeming wildlife they nurtured 150 years ago.

During the final decades of the nineteenth century, men quarrelled, fought, and even died on the Farallones for the right to harvest Murre eggs for the San Francisco market. Earlier, in the 1820's, Russian and Aleut sealers led solitary lives on this most southerly outpost of the Russian-American Fur Company, suffering disease and starvation while supplying Fort Ross with sea-lion meat, fur-seal hides, and the feathers and down of sea birds.³

Short accounts of the islands and their fauna by writers, naturalists, and scientists appeared in American popular and scientific periodicals as early as the 1850's, and ornithologists took especial delight in describing the myriads and swarms of sea fowl that populated "Bird City," the Southeast Farallon.⁴

Largest of the group, the southern-most island is actually two contiguous islands and small outliers which together measure almost a mile long and a half-

mile wide. About eight miles from the northern five islets, the Southeast Farallon offers the easiest landing place of the group, and, hence, it was occupied by Russian and American parties which, during the nineteenth century, systematically reduced its fur-seal, sea-lion, and sea-bird populations.

Long before Yankee sailors landed in the Farallones early in the last century and prior to the foundation of the Russian-American Company in 1797, the circumnavigator Drake glimpsed the Farallon Islands on his voyage through the North Pacific. In contrast with the mists of romance and mystery that enshroud the exact berth of the *Golden Hinde*, we know that on July 23, 1579, she sailed a course south-southwest from the mainland and discovered:

Not farre without this harbrough did lye certain Ilands (we called them the Ilands of Saint James) hauing on them plentifull and great store of Seales and birds, with one of which we fell July 24, whereon we found such prouision as might competently serue our turne for a while. We departed againe the day next following, viz, July 25.⁵

This abundance of wildlife noted by Drake probably remained undiminished until early in the nineteenth century when Yankee vessels under Russian contract plied the same waters for valuable sea-otter and fur-seal skins.

It is commonly believed that Russian occupation of the southeast island decimated its fur-seal population, and, clearly, the Russians made continuous and prolonged demands upon these animals. However, a long-ignored contemporary source indicates that prior to Russian settlement of the island, gangs put ashore by Yankee Boston ships had culled scores of thousands of fur-seal pelts for the Canton market. Indeed, within a few seasons Boston vessels made unprecedented inroads into seal numbers, incursions documented by a little-known and little-used narrative of the coastal activities of the two Winship brothers of Boston.

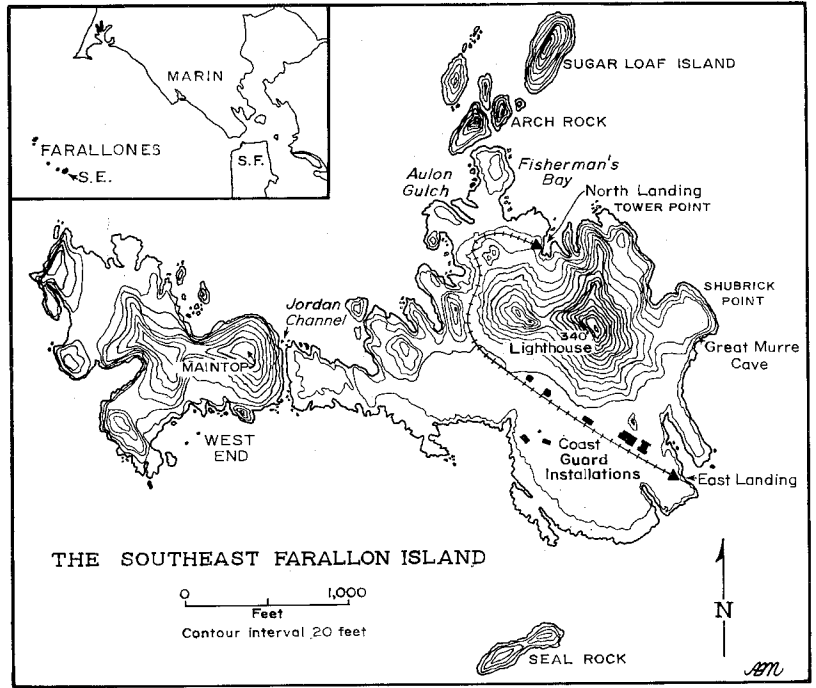
The voyages of Jonathan and Nathan Winship in the northwest Pacific in the early years of the nineteenth century are described in an undated manuscript in the Bancroft Library of the University of California, Berkeley, entitled *Solid Men of Boston in the Northwest*. Most likely the document was authored by one William Phelps sometime in the 1870's. As recounted by Phelps, the Winships and other Boston captains took large quantities of skins off the Farallones, and, for at least a two-year period, they stationed gangs on the southeast island, gangs that removed more than 80,000 valuable seal skins.

According to the document, on February 15, 1807, Jonathan Winship anchored his vessel, the *O'Cain*, off the Southeast Farallon so that he and his brother Nathan could take a good look at the island. On board his ship were fifty Kodiak hunters en route to rejoin gangs left on islands in southern waters the previous year.

Captain Jonathan Winship had sailed these same seas four years earlier. As part owner of the same vessel, he had accompanied his partner Joseph O'Cain to seek Russian help in hunting sea otters in Pacific coast waters. To the Yankee entrepreneurs, hunting otters directly appeared to be more profitable than bartering for them with the natives along the shores. On this early voyage the *O'Cain* took over 1,000 sea-otter pelts, sold its share in Canton, and returned to Boston in 1805.

Winship commanded the 280-ton vessel on her next voyage to the Northwest in the same year. This time his brother Nathan acted as mate; together they con-

Old Coast Guard installations still dot the Southeast Farallon, actually two contiguous islands and small outliers together measuring almost a mile long and a half-mile wide.



tracted with the Russians, and, in the summer of 1806, they landed over one hundred Aleut hunters on Southern California islands. The *O'Cain* returned northwards for reinforcements and in February, 1807, was bound southwards again when it stopped at the Southeast Farallon and put a boat ashore. As the Phelps manuscript recounted:

The officer, on his return, reported a vast number of fur and hair seal. This is the first account of any ship's crew landing on those Islands, of which we have heard.⁶

Apparently the Winships did not station any men on the island on that occasion, but instead pressed on and harvested an estimated \$136,000 worth of fur, mainly from Cedros, Natividad, and Guadalupe islands, and areas south of Point Concepcion.

In 1809, the brothers sailed separately. Jonathan left Boston in January in the *O'Cain*; Nathan took command of the *Albatross* in July and sailed directly to the Sandwich Islands. Almost a year later, in June, 1810, he made an abortive attempt to settle on the Columbia River and sailed from that estuary in company with the *Mercury* under Captain Eayrs. The *Albatross* then parted ways with the *Mercury*, which was bound for Sitka, and on July 30, 1810, Winship's vessel anchored off the Farallones. The manuscript reads:

July 30th, came to anchor near the South Farallones. Found on the islands two gangs of sealers, one belonging to the ship *Isabella*, Captain Davis, of Boston, and the other to the ship *Mercury*, before mentioned. A party of seven persons was left here in charge of Mr. Gale to take fur seal, and the *Albatross* continued on down the coast.⁷

Although not discovered by Winship until mid-1810, it is possible that the *Mercury's* gang had been on the islands for some time. The ship's commander, Captain Eayrs, enjoyed cordial relations with Spanish authorities and missions and had been recorded to be in the vicinity as early as December, 1808. Eayrs

had previously obtained Russian help and Spanish tolerance in his search for fur on the West Coast and, indeed, he continued to be active there for some time.⁸ One thing is clear from the activities of Winship's *Albatross*: from July 30, 1810, one or more sealing gangs occupied the Southeast Farallon.

Not to be outdone, Nathan Winship left his gang on the Farallones and moved into southern waters. On his return to the islands on December 4, 1810, he was pleased to find that 30,000 skins had been taken. According to the Phelps document, Winship "increased" the gang by six Sandwich Islanders, and "the ship bore away for St. Louis Obispo. . . ."⁹

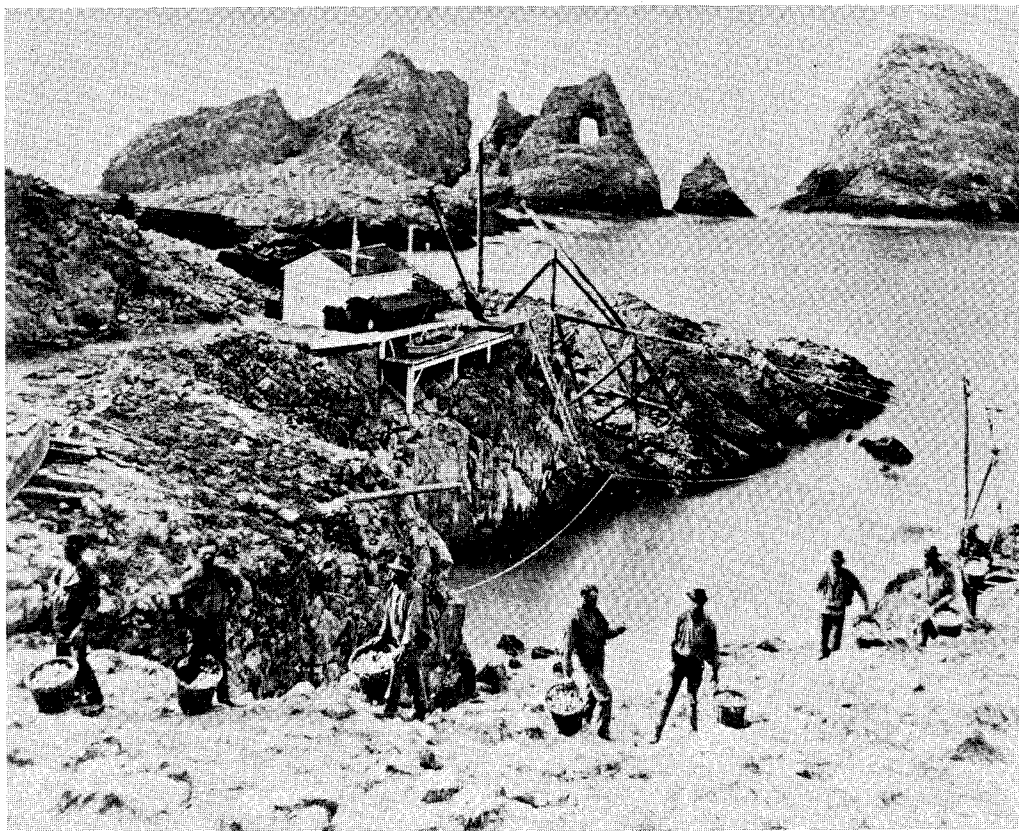
Nathan in the *Albatross* briefly joined Jonathan Winship off the south coast, but on April 1, 1811, he sailed north again to check with his men on the Farallones. He discovered that:

the party left here previously had taken about four thousand fur seal, and had been over two months without provisions, except what the island afforded. The ship [took] off the skins, supplied the parties, and proceeded to Drake's Bay . . .¹⁰

Drakes Bay offered both sea room and relative seclusion from the eyes of the Spanish authorities and was used for about a month by the *O'Cain* and *Isabella*, both of which joined the *Albatross* on May 11, 1811. All three vessels stationed crews on the Farallones and set up a communications and supply system with Drakes Bay. (At this time Kuskov in the Russian ship *Chirikov* was at Bodega, but he had a party on the Farallones taking sea lions for meat prior to his departure for Sitka in late June or early July.)

Before sailing on to the Orient to sell the fruits of the expedition, the *Albatross* again anchored off the Farallones. She had collected crews on the islands further south and taken them north to Sitka, and now she picked up the Farallon seal skins before proceeding to Hawaii and the Far East.





*The west end of the Southeast Farallon (right), separated from the remainder of the island by a surge channel, was heavily collected-over by the Farallon Egg Company. An estimated ten million Murre (*Uria aalge*) eggs were removed from the Farallones during the second half of the nineteenth century by egg-pickers such as those photographed (above) c. 1881.*



OPPOSITE: Not yet uneasy with rampant depletion of wildlife, an 1856 periodical article spoofed the problems of hunting sea lions. At this time, as well, Murre eggs gathered daily from the islands served as staples in most Californians' diets.

September 27, 1811.—The ship anchored in ten fathoms under the lee of the South Farallone. The parties were all well, and had procured since the ship was last here (in December) 53,000 prime skins. They remained at anchor here until the 2nd of October. The skins were all taken on board, and all the people, except Mr. Brown, who, with seven Kanackers (or Sandwich Islanders) remained for a further hunt, and to be called for by the O'Cain.¹¹

Phelps' narrative of the several years' voyages continued with the sailing westwards from Hawaii of all three vessels—the *Albatross*, *O'Cain* and *Isabella*. An agreement was reached there by the three to operate together, with sandalwood cargoes promising a good income. The *Albatross*, however, returned once more to California waters to take a party of sealers off the Farallones and to conclude any unfinished business on the coast. According to Phelps who quoted the *Albatross*' journal,

We anchored at the South Farallones the 15th of August, and took off the party with eight thousand prime fur seal skins, and all their effects.¹²

The journal reported, incidentally, that another Boston ship, the *Charon*, had a gang on the Farallones at that time.

Finally, in October, 1812, Nathan Winship put westwards from the Farallones, and the ship's journal ends with the note that both brothers returned to Boston in 1816 after an absence of some seven years and retired from the sea.

The above chronology is incomplete. From it, however, it is certain that at least five Boston vessels, the *O'Cain*, *Mercury*, *Albatross*, *Isabella*, and *Charon*, had crews on the Farallones between August, 1810, and September, 1812. These vessels were accompanied by Russian vessels including the *Chirikov* in pursuing and removing sea otters and fur seals on the California coast.

Sea otters, fur seals, Steller and California sea lions, and northern elephant seals are recorded in historical literature as once inhabiting the Farallon Islands. Only sea lions and elephant seals reside there presently, but Steller sea lions and elephant seals reportedly breed on the islands.¹³

Although fur seals were not separated by taxonomists into two species until 1897 (by C. Hart Merriam), historical data from the Farallon Islands suggest that it was the Guadalupe or southern species (*Arctocephalus townsendi*) that was once endemic to the islands: at least 30,000 fur seals were reportedly taken between August 1 and December 4, 1810, when the northern *Callorhinus* species is generally absent from California waters. In 1922 the periodical *California Fish & Game* concluded that "the seals that have been taken on our coast, when taken on land were the Guadalupe fur seal." In the case of the Farallones, the author Edwin C. Starks suggests that the beasts were clubbed to death while ashore.¹⁴

The author of the manuscript recording Winship's voyages reports precise numbers of fur seals taken by the *Albatross* alone from the Farallones during the 14-month period, July 30, 1810, to October 1, 1811: Gale and party took 33,740 pelts in 1810 and 21,153 in 1811; Brown and party, who probably landed December 4, 1810, took 18,509 pelts. The ship's total fur-seal catch amounted to 73,402 skins. The *Albatross* sailed to Hawaii loaded with 74,526 (73,402 from the Farallones) fur-seal skins, 631 sea-otter skins, and an assortment of beaver, mink, land otter, fox, and other mammal pelts worth over \$157,000 on the Canton market.¹⁵

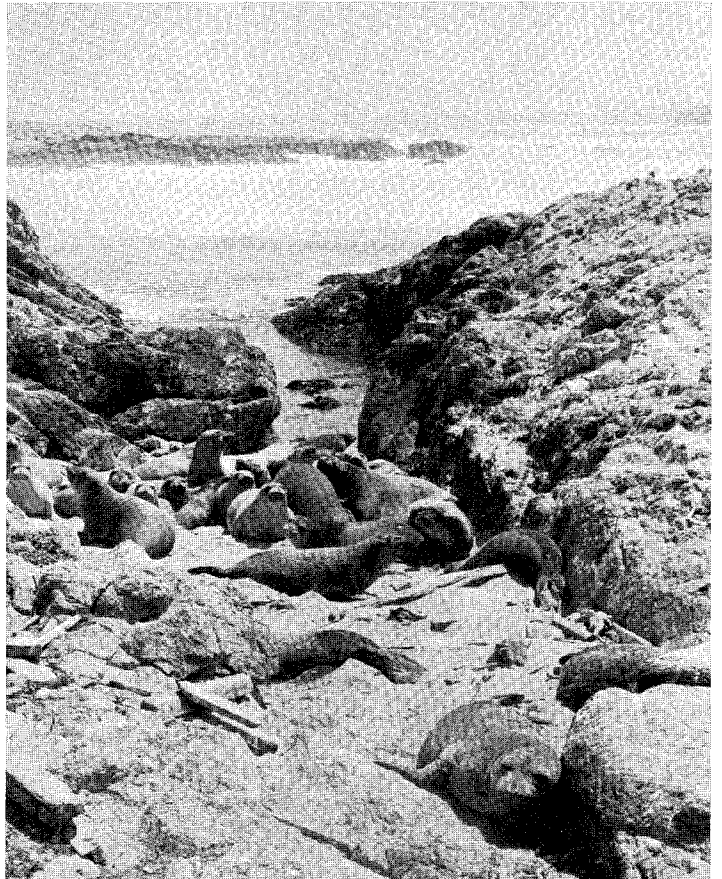
A final paragraph in the *Solid Men of Boston* praising Yankee ingenuity proudly concluded that

judging from the number of parties known to have been left on these rocks or islands, within the last three years by Boston ships . . . it will be safe to state that 150,000 fur seal skins were taken from there during that time; a fact which contrasts Spanish indolence and imbecility with the activity and enterprise of 'Boston men.'¹⁶

Russian sealers neither approximated 150,000 fur seals during any similar time span nor did they accrue comparable numbers in their years of occupation, roughly coincident with their occupation of Fort Ross (1812-1841). It is evident that Boston men, not Russian and Aleut hunters who took less than 20,000 during their sojourn there, broke the back of the fur-seal population of the Farallon Islands.¹⁷ Similarly, it remained for American fishermen to begin serious inroads into the sea-bird populations that were sharply reduced in over forty years of egg harvesting in the mid-nineteenth century.¹⁸

THE PHOTO on page 306 is from the Muybridge photo album, volume 2, 16892-225, courtesy Bancroft Library; photos on page 313 (bottom) and 315, supplied by author; photos on pages 308 and 313 (top), courtesy CHS; cartoon on page 312 from *Hutchings California Magazine*, 1:5 (August, 1856).

Increasing numbers of female and immature northern elephant seals (Mirounga angustirostris) are being observed on the southeast island. This sandy cove provides seclusion and is an easy hauling area. Exterminated as a breeding species last century, the elephant seal is expected to breed again on the Southeast Farallon.



NOTES

1. William D. Phelps (?), *Solid Men of Boston in the Northwest*, p. 58, Ms in The Bancroft Library, University of California, Berkeley, (187?).
 2. Allyn G. Smith, "These are the Farallons," in *Pacific Discovery*, 20:3-10,5 (1967).
 3. See experiences of Tchitchinoff in the 1820's in *Adventures in California of Zakahar Tchitchinoff*, 1818-1828 (Los Angeles, 1956).
 4. Thousands of Murres are noted on the island in *Hutching's California Magazine* (1856), pp. 49-57, especially p. 54. Thirty years later sea birds swarmed as bees in the eyes of Walter E. Bryant, "Birds and Eggs from the Farallon Islands," *Proceedings of the California Academy of Science* (2nd series), 1:25-50 (January, 1888).
 5. Quote in Hubert Howe Bancroft, *Works* Vol. XVIII, *History of California*, 1:85 (San Francisco; 1884).
 6. Phelps, 21.
 7. Phelps, 52.
 8. Adele Ogden, *The California Sea Otter Trade 1784-1848*, University of California Publications, History (Berkeley, 1941), pp. 45-65 and Appendix, pp. 155-182. A footnote in Bancroft, *Works*, XIX, *History of California*, 11:95-96n, notes an indirect report of a visit by "old Captain Bully (Billy?) Smith . . . to the Farallones in 1808 with a party of Kodiaks." The captain "stayed there two years, and caught 130,000 seals besides many otter. He took them to China in the Albatross...."
 9. Phelps, 53.
 10. Phelps, 54.
 11. Phelps, 56-57.
 12. Phelps, 61-62, from the ship's journal.
 13. Joseph Grinnell, *et al.*, *Fur-Bearing Mammals of California* (Berkeley, 1937), 1:289, states the southern sea otter was "particularly abundant about the Farallon Islands. . . ." See also Lloyd G. Inglis, *Mammals of the Pacific States*, 397,399 (Palo Alto, 1965). However, Keith W. Radford, Robert I. Orr, and Carl L. Hubbs, "Reestablishment of the Northern Elephant Seal . . . off Central California," in *Proceedings of the California Academy of Sciences* (4th series), 31:610 (1965), do not report the elephant seal as breeding on the Farallones in 1961. One or more bulls from the Año Nuevo Island rookery in San Mateo County are believed responsible for one birth on the Southeast Farallon in 1972, two births in 1973, and seventeen births in 1974 (of which five pups survived). See Point Reyes Bird Observatory, *Newsletter* No. 29:1 (March, 1974).
 14. Edwin C. Starks, "Records of the Capture of Fur Seals on land in California," in *California Fish & Game*, 8:155-160,159 (July, 1922). Grinnell, *Fur-Bearing Mammals of California*, 2:626-628, relies on C.H. Townsend, "The Fur Seal of the California Islands," in *Zoologica* 9:44-457 (1931), who cites Starks for identity and numbers on the Farallon Islands. See also California Department of Fish and Game, *At the Crossroads*, 1974, pp. 77-78 (Sacramento, 1974). Recent excavations on the southeast island have not, to date, conclusively proved that the species was *Arctocephalus* (Personal communication, Robert E. Jones, Museum of Vertebrate Zoology, University of California, Berkeley, May, 1974).
- In regard to the method of taking fur seals, the customary, and present-day, method practiced with the fur seals of the northern species in Alaska is to hit the beast over the head and break the skull so that death is quick and the pelt remains unblemished. The seals are driven inland from the beach where they are surrounded and dispatched in this fashion. In recent years animal societies have called considerable attention to this method of killing as being inhumane and in need of improvement.
15. Phelps, 57-58.
 16. Phelps, 62.
 17. Adele Ogden, "Russian Sea-Otter and Seal Hunting on the California Coast, 1803-1841," in *California Historical Society Quarterly*, 12:217-39 (1933); E.O. Essig, "The Russian Settlement at Ross," in *California Historical Society Quarterly*, 12:191-209.
 18. Robin W. Doughty, "San Francisco's Nineteenth-Century Egg Basket: The Farallons," in *Geographical Review*, 61:554-72 (1971). The Farallon Islands, excluding the Southeast Farallon, are in the process of being proclaimed a Wilderness Area by Congress, a measure which will prevent any construction on them. The southeast island, formerly housing a coast-guard installation, was reserved in 1969 as a National Wildlife Refuge.

Mendez v. Westminster: Race, Nationality and Segregation in California Schools

CHARLES WOLLENBERG

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Neither Separate Nor Equal: Race and Racism in California (1971);
instructor of history at Laney College, Oakland.*

SEPARATION OF SCHOOL CHILDREN ON GROUNDS OF RACE and nationality in California is almost as old as public education itself. But on March 2, 1945, five Mexican-American fathers, Gonzalo Mendez, Thomas Estrada, William Guzman, Frank Palomino, and Lorenzo Ramirez, challenged the practice of school segregation in the Ninth Federal District Court in Los Angeles. They claimed that their children and 5,000 other children of "Mexican and Latin descent" were victims of unconstitutional discrimination by being forced to attend separate "Mexican" schools in the Westminster, Garden Grove, Santa Ana, and El Modeno school districts of Orange County. Judge Paul J. McCormick ruled in favor of Mendez and his co-plaintiffs on February 18, 1946, and more than a year later, on April 14, 1947, McCormick's ruling was upheld by the Ninth Circuit Court of Appeals in San Francisco. On June 14 of the same year, Governor Earl Warren signed into law a repeal of the last remaining school segregation statutes in the California Education Code.

Thus did *de jure* school segregation, legally and administratively enforced separation of racial and national groups in the public education system, end in California. The *Mendez v. Westminster* case was not an isolated incident, but part of a continuing story of conflict over the role of minority groups in California public education. The case provides insight into the long history of school segregation in California and is an important chapter in the experience of Mexican and Mexican-American people in the United States. Judge McCormick's decision reflects significant social and intellectual movements of the 1930's and 1940's which produced a remarkable change in educational and judicial attitudes on matters of segregation and race. Finally, the *Mendez* case serves as a point of departure for understanding current controversies over busing and voluntary ethnic separation in the schools.

The origins of the *Mendez* decision go back at least ninety years. In 1855 the California legislature provided that the State School Fund be apportioned to counties on the basis of a census of *white* children, ages 4 to 18.¹ The implications

of the white-only census were clearly recognized by State School Superintendent Andrew J. Moulder. In 1859 Moulder told local educators that “had it been intended by the framers of the law that the children of inferior races be educated side by side with whites, it is manifest the census would have included children of all colors.” Moulder warned that any attempt “to force African, Chinese and Diggers into one school . . . must result in the ruin of the schools. The great mass of our citizens will not associate in terms of equality with these inferior races; nor will they consent that their children should do so.” However, Moulder did favor establishing separate public schools “for the benefit of the inferior races . . . providing the [white] citizens do not object.”²

The legislature agreed, and in 1860 it specifically prohibited “colored children” from attending integrated schools but did allow districts to operate separate schools for blacks, Indians, and Asians. By 1866, the Civil War and Reconstruction controversies had raised questions about black civil rights, and local districts in California were required to establish separate schools if so requested by at least ten “colored” parents. Passage of the Fourteenth Amendment to the federal Constitution raised further legal and moral issues, and in the 1870’s, judicial and legal action established that Indian and black children had the right to attend “white” schools in communities which did not provide separate facilities. But for many years, Chinese were not allowed to attend any schools at all. San Francisco School Superintendent James Denman claimed that the task of educating Chinese was “almost hopeless,” because “the prejudices of caste and religious idolatry are so indelibly stamped upon their character.” Not until 1885, in a case brought by Chinese parents, did the courts require that Chinese be allowed to attend California public schools. San Francisco, along with other communities, then established separate Chinese educational facilities.³ In 1906–1907 the city created a major diplomatic crisis when it attempted to force Japanese children to go to the “Chinese school.” Only intervention by President Theodore Roosevelt and an agreement limiting further immigration of Japanese laborers persuaded San Francisco authorities to reverse their decision.⁴

Court action by black parents had established the right of black children to attend “mixed” schools as early as 1890, but in 1945 section 8003 of the Education Code still provided that districts “may establish separate schools for Indian children, excepting children who are wards of the United States Government and children of all other Indians who are descendants of the original American Indians of the United States, and for children of Chinese, Japanese or Mongolian parentage.” Section 8004 required that “when separate schools were established . . . the Indian children or children of Chinese, Japanese or Mongolian parentage shall not be admitted to any other school.”⁵

Ironically, the Code did not mention the group that was most commonly segregated by 1945: children of Mexican descent. The major migration of Mexicans to California began at the end of the nineteenth century, as southwestern railroads recruited Mexican labor for unskilled track work. The Mexican Revolution of 1910 created a large refugee population and increased the social mobility of Mexican peasants. In the United States, World War I created labor shortages, and restrictive legislation in the early 1920’s reduced European immigration and banned further immigration from China and Japan. But the border with Mexico

was left relatively open, and hundreds of thousands of Mexicans took advantage of that fact. Mexicans not only continued their domination of track work on California railroads but by the middle twenties, comprised the bulk of the farm labor force in the Imperial and San Joaquin valleys and the "citrus belt" surrounding Los Angeles. By the end of that decade, they also were a significant part of Los Angeles' urban labor force. The United States Census recorded a tripling of California's Mexican and Mexican-American population during the twenties, from 121,000 to 368,000, but these figures probably under-state the actual growth. By 1930, people of Mexican descent were California's largest "minority group"—a status they have maintained to the present day.⁶

The first Mexicans to cross the border at the turn of the century were migrant men who returned home after a few months' work. But even before World War I, a growing percentage of the immigrants were coming to stay and bringing wives and children with them or raising families once they arrived. By the 1920's, a new population of Mexican and Mexican-American children was having a profound effect on California school enrollments. 65,527 pupils, nearly 10 per cent of the state's total public-school population, were of Mexican descent in 1927. More than 88 per cent of these Mexican and Mexican-American students lived in counties south of the Tehachapis, over 50 per cent in Los Angeles County alone. In Orange County, 2,869 public school children, about 17 per cent of total county school enrollment, were of Mexican descent in 1927. Most dramatically affected was Imperial County; more than 36 per cent of the school children were Mexicans or Mexican Americans by 1927.⁷

These increasing enrollments of Mexican children rapidly led to segregated schools. According to Grace Stanley, a California educator writing in 1920, "One of the first demands made from a community in which there is a large Mexican population is for a separate school. The reasons advanced for this demand are generally from a selfish viewpoint of the English-speaking public and are based largely on the theory that the Mexican is a menace to the health and morals of the rest of the community."⁸ In the Imperial Valley, University of California economist Dr. Paul S. Taylor found some employers of Mexican labor opposed any education at all for their workers' children: "The schools teach Mexicans to look upon farm labor as menial," one grower claimed. "It [education] only makes them dissatisfied and teaches them to read the wrong kind of literature." However, Dr. Taylor found most Imperial Valley residents willing to support education for Mexican children, though in schools "segregated by a consciousness of racial difference."⁹

And so it went in town after Southern California town. The Ontario school superintendent recommended construction of a "Mexican school" in 1921; by 1928 enrollment in this school was so great that another "Mexican" facility had to be built.¹⁰ One elementary school in Riverside had become predominantly Mexican as early as 1910, and in 1924 another "Mexican school" was built when Anglo parents "wished there might be segregation of the Mexican element now attending Liberty [School]."¹¹ The San Joaquin Valley town of Mendota built a new school in 1920, but Mexicans were prohibited from attending. They either went to the old facility or were bused to a "Mexican school" in another town.¹² The city of Santa Ana was divided into fourteen elementary school zones in 1920,



While housing projects such as this unit built in Los Angeles in the early 1940's somewhat improved the living accommodations of low-income Mexican Americans, they also made possible de facto school segregation.

and population patterns along with strategically placed boundary lines resulted in three of the zones becoming predominantly Mexican. In response to parental protests, the school board allowed non-Mexican children living in the three zones to transfer to other, "white" schools.¹³ The Los Angeles school board also manipulated attendance zones to produce segregation. In 1933 a city school official admitted that "our educational theory does not make any racial distinction between Mexican and native white population. However, pressure from white residents of certain sections forced a modification of this principle to the extent that certain neighborhood schools have been placed to absorb the majority of the Mexican pupils of the district."¹⁴

The increasing segregation of Mexican school children was part of a more general pattern of social separation between Mexicans and Anglos in Southern California.¹⁵ Segregation, sometimes *de jure*, sometimes *de facto*, of most public facilities including swimming pools, theaters, and restaurants became common during the 1920's. As late as 1947, Carey McWilliams claimed that "segregation is the rule wherever Mexicans reside in sizable colonies." It lasted "from cradle to grave."¹⁶

But professional educators were not always responding to popular pressure when they established "Mexican" schools. The bulk of professional opinion during the 1920's was on the side of segregation for educational reasons. Grace Stanley believed that Mexican children were happier in segregated schools. She described a "mixed" facility in San Bernardino where the Mexican and Mexican-American children appeared to be "dull, stupid and phlegmatic"; however, in the all-Mexican school, the children's faces "radiated joy, they had thrown off the repression that held them down when they were in school with the other children." Stanley believed that Mexican children needed a special curriculum to suit their special abilities. "They are primarily interested in action and emotion but grow listless under purely mental effort." In particular, they were not suited for courses emphasizing "book study and seat work."¹⁷

Many California educators of the 1920's were designing "Americanization" programs for Mexican students. These curricula aimed at achieving the assimilation of young Mexicans and Mexican Americans into "the American way of life." The students were taught English and forbidden the use of Spanish on school grounds. American values, sanitation practices, and work habits were stressed.¹⁸ And educators argued that the process could best be accomplished in separate schools and classrooms. Such separation would allow for special training

of Mexican students without hindering the educational progress of Anglo children. Ontario Superintendent Merton E. Hill, writing of his "Americanization" program in 1928, claimed that "there should be developed wherever numbers shall warrant a segregation of pupils. . . . Pupils should not be put into Mexican classes because they are Mexican, they should be put there because they can profit most by instruction offered in such classes."¹⁹

The segregation arguments were further strengthened, at least implicitly, by findings of educational psychologists. During the 1920's, social scientists put great faith in I.Q. tests. According to William Sheldon of the University of Texas, the tests "enable us to compare accurately the ability of one child with another." Sheldon applied the Cole-Vincent and Stanford Binet tests to groups of "Mexican" and "American" students in Texas. He found that on the average the former had only 85 per cent of the I.Q. of the latter. Mexicans scored lower than "Americans," "English," "Hebrews," and "Chinese," but higher than "Indians," "Slavish," "Italians" and "Negroes."²⁰ Thomas Garth of the University of Denver gave the National Intelligence Test to over 1,000 Mexican and Mexican-American students in Texas, New Mexico, and Colorado. Garth discovered that the median I.Q. of those tested was 78.1. The Mexican child with the highest score (142), however, claimed to be a "Spanish American"; thus, Garth theorized, the child probably had more "white" blood than the others.²¹

Segregation of Mexican and Mexican-American students, then, was a product of community pressure, sanctioned by professional educators and supported by the studies of educational psychologists. By the mid-twenties the practice was well-entrenched in California. In 1928 sixty-four schools in eight southern California counties had from 90 to 100 per cent Mexican and Mexican-American enrollment.²² Three years later a survey of school districts with substantial enrollments of students of Mexican descent found that more than 80 per cent practiced segregation. Where separate schools did not exist, separate "Americanization" classrooms often were maintained.²³ In Orange County, for example, over 4,000 students, a quarter of total school enrollment, were Mexicans or Mexican Americans in 1934. About 70 per cent of the Spanish-surnamed total attended the fifteen Orange County elementary schools which had 100 per cent Mexican enrollment. Forty per cent of all Mexican and Mexican-American students in the county lived in the four districts eventually affected by the *Mendez* case, and six of the fifteen all-Mexican schools were located in these districts (three in Santa Ana; one each in Westminster, El Modeno and Garden Grove).²⁴

However, segregation of Mexican and Mexican-American school children in California was never monolithic. Some districts chose not to separate children of Mexican descent, perhaps because few such children were in the schools, or the methods of separation were too expensive and cumbersome. Even in segregated districts, it was common to allow a few Mexican children to attend "white" schools. Usually they were children of middle-class Mexican-American parents or descendants of old "Californio" families. In San Bernardino the criteria for choosing exceptions to the rule of segregation were "apparent prosperity, cleanliness, the aggressiveness of parents and the quota of Mexicans already in the mixed school."²⁵ Similar criteria existed in many communities including the Orange County districts affected by the *Mendez* case.²⁶

Moreover, segregation was never rigidly applied at the secondary level. According to accepted theory, once a Mexican child learned English and became "Americanized" in the elementary school, he could be integrated into a mixed high school.²⁷ Equally important was the fact that most rural California districts could afford only one secondary school. In fact, however, Mexican and Mexican-American students rarely stayed in the elementary grades long enough to reach high school. In 1926 more than 3,000 children of Mexican descent were enrolled in Imperial County elementary schools, over one-third of the total enrollment, but only fifty-one such children, 4 per cent of total enrollment, were in the high schools.²⁸ In 1930 nearly 10 per cent of Ontario elementary school children were Mexicans or Mexican Americans, but two years later, the Chaffey High School District (including Ontario) graduated two students of Mexican descent out of a total graduating class of 293. Some of this disparity might be explained by the relative youth of the Mexican population, but nine years later, Chaffey managed to produce only six Mexican and Mexican-American graduates out of a total of 370.²⁹ In Orange County only 165 of the county's 4,000 "Mexican" students were enrolled in high school in 1934. Seventy per cent of the county's students of Mexican descent in 1934 were classified as "retarded" in the sense that they were older than the normal student at their grade level. This rate of "retardation" increased with the numbers of years in school, so that by the time Mexicans and Mexican Americans reached the eighth grade, many already were sixteen years old, the age at which compulsory schooling ended in California.³⁰

By the mid-1930's, segregation of Mexican students was coming under attack. The Depression spawned attempts at social and economic reform, and these in turn created a belief that poverty and social disadvantages were caused by environmental factors subject to human remedy. In such an intellectual climate, George I. Sanchez, the director of information and statistics for the New Mexico Department of Education, asserted that low I.Q. scores of Mexican-American students had to be understood in the context of the children's environment.³¹ I.Q. scores have meaning, Sanchez claimed, "only to the extent that the past history of the child has been assayed by the test in equal manner, with equal justice, and in equal terms with the past histories of the children used as the criteria of the test." Otherwise, the results were absurd. Thomas Garth, for example, found that nearly half his Mexican sample had scored so low that they were not capable of performing the simplest tasks, yet hundreds of thousands of Mexican laborers were being recruited to work in the fields, railroads, and mines of the southwest. Sanchez argued that Garth's results were explained *not* by the inherent intellectual inferiority of Mexicans, but by "the dual system of education presented in 'Mexican' and 'white' schools, the family system of contract labor, social and economic discrimination, educational negligence on the part of local and state authorities, [and] 'homogenous grouping' to mask professional inefficiency..."³²

Few educators in the 1930's were willing to go as far as Sanchez, but at least some began to have doubts about segregation of Spanish-speaking students. Annie Reynolds, a researcher for the United States Office of Education, believed that "formerly persons writing on the subject showed considerable agreement in assigning a relatively low place to Spanish-speaking pupils along intelligence, achievement and school progress lines. This is not true at the present [1933]."

Reynolds claimed that scholars were suspending judgment "until much more information is available based on a far greater equalization of economic, social and educational opportunity than at present obtains."³³ California educator Simon Treff asserted that Mexican students in mixed schools seemed to be less "retarded" than those in segregated facilities, while Herschel T. Manuel of the University of Texas claimed that reading and arithmetic problems of Mexican-American children were caused primarily by poverty and bi-lingualism. By 1937, still another researcher, William A. Farmer of California, was calling for an end to "emotion-alism" on the question of segregation of Mexican and Mexican-American students; what was needed was more research.³⁴

The doubts expressed about segregation in the thirties evolved into new convictions during the forties. By the end of World War II, spokesmen for California's educational establishment were vigorously condemning school segregation. The war had identified racism with Hitler and the Axis powers, while equality and justice were said to be the principles of the Allied cause. The first United Nations Conference in San Francisco in 1945 focused attention on idealistic hopes for peace between nations and peoples. Along with these hopes, however, came fears of new ethnic conflict in California. Wartime labor shortages produced large increases in black and Mexican-American populations, and these increases were accompanied by new social tensions. In 1943 white servicemen rioted against young Mexican-American *pachucos* in Los Angeles, and violence broke out between black and white shipyard workers in Richmond. Further violence was predicted when "re-located" Japanese Americans returned to the state after the war. Thus, public officials and public agencies called for inter-ethnic cooperation and understanding to prevent further conflict.³⁵

As if to illustrate both the hopes and fears of the post-war era, the California Elementary Schools' Principals Association entitled their 1945 yearbook *Education for Cultural Unity*. Helen Heffernan, chief of elementary education in the State Department of Education, and Coreen Seeds, principal of the University Elementary School at the University of California, Los Angeles, in their contribution to the yearbook, claimed that segregation had "almost completely misfired." "It represents a practice which schools must eliminate."³⁶ Dr. Martha Seeling, Butte County coordinator of curriculum, called on educators to do "the spadework toward lessening the hatred and prejudice in America by ceasing to segregate normal children in our schools." Hawaii and Russia already had eliminated racial prejudice, Seeling claimed; California could do not less. "The United Nations insist that they will bring liberation and equality to the beaten and downtrodden. What will happen to America?"³⁷

Non-educators also attacked school segregation. During the twenties and thirties, leading books on Mexican Americans accepted or defended school segregation. But the writers of the post-war period severely condemned the practice. Ruth Tuck claimed that school segregation "untrains little citizens for democratic living," while Beatrice Griffith believed it intensified the "insecurity and sense of inferiority that comes in early childhood." According to John Burma, Spanish-speaking children in mixed classrooms "progress in the [English] language much faster" than those in segregated classes.³⁸

But the integrationist educators and writers of the forties still shared a common

goal with their segregationist predecessors of the twenties and thirties; both groups looked upon assimilation of Mexicans and Mexican Americans into the "American way of life" as the ultimate goal. UCLA historian Flaud C. Wooton condemned segregation, but also criticized the "cultural pluralism" of the East Los Angeles *barrio* or San Francisco's Chinatown as "a source of competition, prejudice and even conflict."³⁹ While "Americanization" programs of the 1920's assumed that assimilation could best be achieved through separate classes in English, hygiene, and other fields, "inter-cultural" programs of the 1940's assumed the same ends could better be accomplished through integration. In 1946 the First Regional Conference for Education of Spanish-Speaking People in the Southwest proclaimed that Mexican children learn English best when in constant contact with English-speaking peers.⁴⁰ What better way to assimilate the American language and culture than to play and study with American children? Reporting on the successful integration effort in Mendota in 1947, Dallas Johnson noted: "English was the rule of the day; the new athletic director enforced the rule on the playground." As Helen Heffernan and Coreen Seeds put it, "Assimilation is a long-term process, but it will be even slower if hindrances such as segregation for educational purposes persist."⁴¹

The new message sometimes had difficulty filtering down through the educational ranks. Ruth Tuck quoted one teacher as saying "I'd hate to count the number of master's theses that have been written in its [segregation's] defense, but behind all the qualifications and footnotes, you could be sure of one thing. The teachers who felt that way were concerned with their own status. They wanted to teach in the silkstocking districts themselves, not in Spanish town. . . ."⁴² Beatrice Griffith told of a graduate student in education who sat through a seminar on the problems of Mexican Americans. "I've had a very entertaining experience," the prospective teacher said, "but as far as I am concerned they are still dirty, stupid and dumb."⁴³ But in spite of such discouraging tales, both Tuck and Griffith believed that educators' attitudes were changing for the better.

World War II also created new opposition to school segregation among Mexican and Mexican-American parents. As early as 1927, Paul S. Taylor noted such opposition in the Imperial Valley, but claimed it came solely from assimilated, middle-class parents.⁴⁴ University of Southern California psychologist Emory Bogardus reported the same phenomenon and believed that most Mexican Americans realized the "advantages" of separate schools. Nevertheless, parental action did lead State Attorney General U.S. Webb to rule in 1929 that segregation of Mexican children was not supported by California law. In 1931, a local court allowed seventy-five Mexican children in Lemon Grove to attend a "white" school. However, Webb's opinion was only advisory, and the Lemon Grove case had little statewide impact.⁴⁵ Middle-class Mexican-American resentment probably was quieted by the practice of allowing a few assimilated children to attend "white" schools, while lower class Mexicans and Mexican Americans were diverted by more serious problems. The Depression caused severe economic hardships, particularly when the farm labor market was flooded with "Okies" and "Arkies." Thousands of Mexicans returned to their native land, some of them the victims of forced "repatriations" managed by county relief agencies. Workers of Mexican descent carried out scores of major agricultural strikes during the

thirties, including a particularly bitter conflict at Garden Grove in 1936. But there were few short-term victories and no long-term successes.⁴⁶

Not until the war years did Mexican and Mexican-American parents begin to enjoy relative prosperity and a degree of economic security. The distinguished war record of Mexican Americans created both a feeling of ethnic pride and a consciousness of inequitable treatment at home. A new generation of Mexican-American young people was coming of age and demanding equal rights and economic opportunities. New post-war Mexican-American organizations such as the G.I. Forum and the Community Service Organization and older groups such as the League of United Latin American Citizens (LULAC) engaged in political activity and fought discrimination in the *barrios*.⁴⁷ In such an atmosphere, segregation of Mexican and Mexican-American school children came under increasing parental attack. "World War II stimulated Mexican Americans to demand change," California educator Thomas Carter has observed. They became "more aware of their rights and duties as American citizens [and] they demanded an end to separate schools. . . ."⁴⁸

By 1945 protests against school segregation by Mexican-American parents had forced the Ontario school board to consider integrating the previously all-Mexican Grove School. Boards in Mendota, Riverside and San Bernardino faced similar protests.⁴⁹ In Westminster, Gonzalo Mendez and several other Mexican-American parents persuaded the board to propose a bond issue for the construction of a new, integrated school. But when voters turned down the bond, the board refused to take further action. William Guzman was one of several parents protesting segregation practices in Santa Ana. The parents asked that all children of Mexican descent who wished to transfer out of the "Mexican" schools be allowed to do so. The board not only refused this request, but it also cut back the small number of token transfers that it previously had granted.⁵⁰

Mendez and Guzman were among the five plaintiffs in the *Mendez v. Westminster* case. They and their co-plaintiffs decided to take legal action only after receiving no remedy from their respective school boards. Although they brought the case as individuals with no organizational identification, apparently LULAC activists assisted in obtaining the services of David Marcus, a Los Angeles attorney who often had represented the Mexican consulates in Los Angeles and San Diego.⁵¹ The defendant districts were represented by Orange County counsel, Joel Ogle.

Both attorneys agreed that all four districts in question maintained elementary schools with 100 per cent Mexican and Mexican-American enrollment. Garden Grove had one "Mexican" school and two "white" schools, and Westminster and El Modeno had one of each (in El Modeno the two schools were located only 120 yards apart). Santa Ana, by far the largest district affected by the case, assigned elementary school children by neighborhood, but Anglo children living in Mexican attendance areas were allowed to transfer to "white" schools. Thus, three of Santa Ana's fourteen elementary schools were 100 per cent Mexican. All four districts allowed token transfers of a few Mexicans and Mexican Americans to "white" schools.⁵²

Marcus claimed that this situation constituted a violation of the Fifth and Fourteenth Amendment rights of his clients' children and of five thousand other children of "Mexican and Latin descent." He called on the court to declare

segregation of school children of Mexican descent in California a violation of the United States Constitution and asked that the districts in question be enjoined from further segregation practices and be required to pay the plaintiffs' court costs. Joel Ogle replied that federal courts had no jurisdiction in the case, since education was a matter governed by state law. Moreover, Ogle claimed that the districts were not segregating children on the arbitrary basis of race or nationality, but for the reasonable purpose of providing special instruction to students not fluent in English and not familiar with American values and customs. Finally, he pointed out that in the case of *Plessy v. Ferguson* (1896) the Supreme Court had allowed states to segregate races, providing that the separate facilities for each race were equal.⁵³

Judge McCormick delivered his decision on February 18, 1946, nearly a year after arguments originally had been presented. He first dealt with the constitutional issues of jurisdiction and precedent. The key fact in both instances was that California's Education Code did not specifically provide for segregation of children of Mexican origin, only for Indian and Asian children. Since California law did not allow for separate "Mexican" schools, the requirement that children attend such schools could be considered arbitrary action taken without "due process of law." This, McCormick said, raised a Fourteenth Amendment issue and clearly established federal jurisdiction. Also, the *Plessy v. Ferguson* precedent with its "separate but equal" doctrine did not apply due to the fact that California laws did not provide for the establishment of "Mexican" schools. McCormick ruled that *Plessy* had dealt only with segregation imposed by state law, and such was not the case in the Orange County dispute.⁵⁴

The central question, then, was whether the children were being forced to go to schools for the arbitrary reason of race or nationality, or for valid educational purposes. Here the judge entered the realm of educational and social theory, and, as might be expected, he adopted the ideas of the educators of the 1940's. McCormick admitted that "the only tenable ground upon which segregation practices in the defendant districts can be defended lies in the English language difficulties of the children. . . ." ⁵⁵ But he doubted that such difficulties warranted separation until as late as the eighth grade; surely, children could become proficient in English before this. The judge also claimed that "evidence clearly shows that Spanish-speaking children are retarded in learning English by lack of exposure to its use by segregation. . . ." As to allegations that Mexican children were intellectually inferior to other children, McCormick pointed out that in El Modeno, seventh graders in the "Mexican" school outscored their contemporaries in the "white" school in standardized achievement tests. The judge thus concluded that the children were not being separated on valid educational grounds, but because of "the Latinized or Mexican name of the child."⁵⁶

McCormick also sided with the post-war theorists who advocated assimilation through integration. "Co-mingling of the entire student body instills and develops a common cultural attitude among the school children which is imperative for the perpetuation of American institutions and ideals." Segregation, according to the judge, "fosters antagonisms in the children and suggests inferiority among them where none exists."⁵⁷ Not only on legal and constitutional grounds, then, but also on the grounds of educational and social theory, McCormick ruled in

favor of the plaintiffs and ordered the end of school segregation in the defendant districts.

La Opinión, a large Spanish-language daily newspaper published in Los Angeles, hailed McCormick's brief as a "brilliant judicial exposition." David Marcus called it "one of the greatest judicial decisions in favor of democratic practices granted since the emancipation of the slaves. . . ." ⁵⁸ However, such exuberance was premature. The *Orange Daily News* reported that Joel Ogle was planning an appeal. After meeting with representatives of the four school boards, Ogle was ready to carry the case to the Supreme Court if necessary. ⁵⁹

On December 10, 1946, Ogle brought his appeal before the Ninth Federal District Court of Appeals in San Francisco. By now, the *Mendez* case was attracting nation-wide attention. The American Civil Liberties Union and National Lawyers Guild had filed *amicus curiae* briefs on the side of the plaintiffs during the original court proceedings. Now these organizations were joined by the National Association for the Advancement of Colored People, the American Jewish Congress, and the Japanese American Citizens League, all filing briefs in support of McCormick's ruling. Even Robert Kenny, Attorney General of the State of California, intervened on behalf of Mendez and his companions. ⁶⁰ New York *Times* correspondent Lawrence Davies reported that the proceedings were being "closely watched as a guinea pig case," for the ACLU and NAACP briefs asked the court to strike down the "separate but equal" doctrine itself. ⁶¹

If reporters were looking for dramatic pronouncements, they were not disappointed by the arguments presented to the Court of Appeals. Ogle again denied that federal courts had jurisdiction in the case. And even if they did, he claimed, "segregation by itself is not a denial of equal protection of the laws." Marcus replied that "if we accept the premise laid down by the other side that a school board can do anything it desires and not be in violation of the Federal Constitution, a board can start segregation with children of Mexican descent, go on with Germans and other national origins and end by dividing with respect to religion, and we'll have the same situation we had in Germany." When Marcus explained that the Orange County districts segregated almost all children with Spanish sur-

*In response to dislocation
and discrimination,
Mexican-American
youths formed strong
organizations—often
along school lines—
for protection and
social life.*



names, Judge William Denham asked what would happen to a person named O'Shaughnessy who was "five-sixths Spanish." Marcus assured the judge that young Mr. O'Shaughnessy would be segregated too, for the districts separated on the basis of appearance as well as family name.⁶²

On April 14, 1947, the seven justices of the Court of Appeals unanimously upheld McCormick's decision. Judge Albert Lee Stevens' opinion stuck to narrow constitutional and legal issues. Again, the key fact was that California law did not specifically provide for segregation of Mexican school children; thus, McCormick was correct in the matter of jurisdiction and in finding that the segregation practices violated the Fourteenth Amendment. But Stevens adamantly refused to rule on the broader issues of "separate but equal": "We are not tempted by the siren who calls to us that the sometimes slow and tedious ways of democratic legislation is no longer respected in a progressive society."⁶³

Stevens also chose not to venture very far into the realm of educational and social theory. But this caution was more than offset by the vigorous language of Judge Denham's concurring opinion. Denham believed that segregation in the Orange County districts created "inequality on its face." If the Orange County precedent had been allowed, "Hitler's anti-semitism . . . would have a long start in the country which gave its youth to aid in its destruction." Orange County educational officials should be liable for criminal indictment, Denham claimed, for they had "brazenly proclaimed their discriminatory violation of the state educational laws."⁶⁴

La Opinión believed that the appellate decision was a blow to "those who believe in the anti-semitic theories of Adolph Hitler." The newspaper reported that the case had established that people of Latin descent "must be treated as the same race [as *norteamericanos*.]"⁶⁵ The *Santa Ana Register*, probably the most conservative newspaper in California, also approved of the appellate decision. The *Register* had long campaigned against compulsory public education and saw the *Mendez v. Westminster* case as one more piece of ammunition. According to the *Register*, Santa Ana school board members "disobey the moral laws they profess to teach and have to be stopped by policemen of the state." This was the result of the nature of the people who serve on school boards, they claimed: "Self-seekers who want power; who want to appear to be leaders; who are willing to violate their own oaths of office in order to let their will prevail." The *Register* believed that school segregation was "the natural result of compulsory education" and just one more reason why that latter practice should be abolished.⁶⁶

There is no evidence of unfavorable press reaction to the *Mendez* decision on grounds that segregation should be continued. However, representatives of the ACLU and NAACP criticized the fact that the Court of Appeals did not strike down the "separate but equal" doctrine.⁶⁷ *Open Forum*, published by the Southern California branch of the ACLU, attacked Judge Stevens' opinion as "devoid of social imagination."⁶⁸ But, in fact, the *Mendez* decision did establish precedent for important cases in other states. In 1948 and 1950, federal district courts ruled that *de jure* segregation of Mexican-American school children was unconstitutional in Texas and Arizona respectively.⁶⁹ If *Mendez v. Westminster* could not be cited as direct precedent for the *Brown v. Board of Education* decision of 1954, in which the Supreme Court did finally reverse the "separate but equal" doctrine,

much of the social and educational theory expressed by Judge McCormick anticipated Earl Warren's historic opinion in the *Brown* case.

The *Mendez* case also had repercussions in Sacramento. It focused attention on the issue of school segregation and on the California statutes still allowing such practices. In January, 1947, Assemblymen Anderson, Hawkins, Rosenthal and Bennet introduced legislation to repeal sections 8003 and 8004 of the Education Code, the remaining school segregation laws on the books. Opponents of the measure claimed that California had "a racial situation different from that of any other state," due to its large Asian population. However, the Anderson bill passed both the assembly and senate by large margins, and on June 14, 1947, Governor Earl Warren signed the repeal into law.⁷⁰

About one year later, Mary Peters surveyed 100 southern and central California non-urban school districts to determine the effects of the *Mendez* decision. Seventy-eight per cent of the responding districts claimed that they formerly had maintained separate "Mexican" schools; however, only eighteen per cent admitted still having such schools.⁷¹ In Orange County, school officials had decided further appeal of the *Mendez* case was pointless. Orange County's education commissioner ordered that there be "some Anglo and Mexican children in every class." In September, 1947, integrated schools opened in Westminster, Garden Grove, El Modeno, and Santa Ana, apparently with little trouble.⁷²

School board members in Riverside were sufficiently impressed by McCormick's original 1946 decision to accede to demands of Mexican-American parents and integrate schools in the "Bell Town" section of the city. In 1948 Riverside closed an "all-white" school near another Mexican neighborhood, thus producing integration of another previously "Mexican" school.⁷³ The Ontario school board decided to integrate Grove School in 1946. During the summer of that year, Anglo parents obtained 1400 signatures on a petition asking the board to "rescind its action in rearranging school district boundaries." But the board held firm, and in September, Grove opened with 177 Mexican and 155 non-Mexican students. According to the new principal, once the Anglo parents realized the board's decision was final "they made up their minds to help in every way."⁷⁴ In Mendota, Superintendent Virgil Howard made a virtue of necessity. Vandalism required that a fence be built around Mendota's schools, and Howard pointed out that the district could save \$5,000, if only one, integrated school were fenced instead of two segregated facilities. The board agreed. As one board member put it, "democracy turns out to be cheaper. . . . The Mexican boys who've been breaking school windows on Saturday night were just getting even. . . . If the schools hadn't been separated in the first place, we probably wouldn't have needed a fence."⁷⁵

It was in small communities such as Mendota that the *Mendez* decision had its most dramatic effect. The case applied only to *de jure* segregation, not to the "*de facto* segregation" that created separate schools in large urban districts such as Los Angeles. After 1947 California's Mexican and Mexican-American population grew rapidly and became increasingly urbanized. By 1960 more than 80 per cent of the state's 1.4 million "Spanish-surnamed" people lived in urban areas. Thus the number of "Spanish-surnamed" children attending *de facto* segregated schools steadily increased. A California State Department of Education survey in 1966

found that 57 per cent of such children attended "minority schools" (schools with a minority group enrollment percentage 15 points above the community average). The figure for black children was 85 per cent.⁷⁶ In 1972 UCLA historian and civil liberties activist John Caughey estimated that two-thirds of the students of Mexican descent in Los Angeles attended substantially segregated schools.⁷⁷ State-wide, more Mexican and Mexican-American children probably attended segregated schools in 1973 than did in 1947, *Mendez v. Westminster* notwithstanding.

But this is not to say that the *Mendez* decision was an insignificant event. It ended nearly a century of *de jure* school segregation in California and incorporated into law the integrationist and egalitarian morality that had developed during the 1930's and 1940's. However, neither *Mendez v. Westminster*, nor *Brown v. Board of Education*, nor even the idealistic educators of the 1940's had determined whether *de facto* segregation was, like *de jure* segregation, a violation of human and legal rights. And neither the courts nor the schools of the immediate post-war period had considered the possibility that some members of ethnic minorities might not accept the assimilationist assumptions on which the *Mendez* decision was made: that some victims of prejudice might call for separatism in education and society.

Gonzalo Mendez and his companions had raised legal and moral questions that the judges and educators of the 1940's were prepared to answer. Today's more difficult questions of *de facto* segregation and separatism have largely stumped the courts and schools, let alone the general public.⁷⁸ But without *Mendez v. Westminster*, the agonizing questions of the 1970's could not even have been asked. *Mendez* was part of a process which stripped away the formal structure of legalized segregation and exposed the underlying conditions of racism and reaction that divide the American people and plague their consciences.

THE PHOTOS are reproduced from *Survey Graphic*, August, 1943, pp. 316, 314.

NOTES

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2. Ferrier, *Ninety Years*, 98.

3. *Ibid.*, 92, 103; Cloud, *Education*, 45, 71; Robert Heizer and Alan F. Almquist, *The Other Californians: Prejudice and Discrimination Under Spain, Mexico and the United States to 1920* (Berkeley, 1971), 62-63, 175-176.

4. Cloud, *Education*, 136; David Brudnoy, "Race and the San Francisco School Board Incident: Contemporary Evaluations," Roger Olmsted and Charles Wollenberg eds., *Neither Separate Nor Equal: Race and Racism in California* (San Francisco, 1971), 75-92.

5. State of California, *Education Code* (Sacramento, 1945), 194.

6. Governor C. C. Young's Mexican Fact Finding Committee, *Mexicans in California* (San Francisco, 1930), 47; Carey McWilliams, *Southern California Country* (New York, 1946), 316.

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San Francisco's Fighting Jew

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THE JEWS OF SAN FRANCISCO from the days of the gold rush to the turn of the century included many who were to be regarded as illustrious and no small number of eccentrics. Among the illustrious was the California supreme court justice, Solomon Heydenfeldt; the grain king, Isaac Friedlander; the industrialist, Levi Strauss; and the banker, Isaias W. Hellman. The eccentrics would certainly include Michael Reese, the penny-pinching philanthropist; Emperor Joshua Abraham Norton, the kindest king who never reigned; Elias Abraham Rosenberg, sometime astrologer and advisor to King Kalakaua of Hawaii; and Isador Nathan Choynski, raconteur, antiquarian bookman, publisher, and acid-pen journalist of his own *Public Opinion*, the muck-raking gadfly of San Francisco life.

I. N. Choynski had a son called Joe. Joe was illustrious in an unusual field. That he succeeded in this field and was a Jew made many think of him as an eccentric. A look into Nat Fleisher's boxing record book shows:

Joe Choynski. Born, San Francisco, Cal., November 8, 1868. Nationality, Jewish-American. Height, 5 feet, 10½ inches. Weight, 168 pounds. Began boxing as amateur in 1884. Won Pacific Coast Championship in 1887. Turned Professional in 1888.¹

Boxing historian Robert A. Haldane observed that Joe Choynski was called "the greatest Jewish heavyweight of all times." Haldane supported this statement by virtue of the "fact that six of his opponents have been recognized as World's Champions: John L. Sullivan, Jim Corbett, Bob Fitzsimmons, Jim Jeffries, Marvin Hart, and Jack Johnson."² W. J. Doherty, the one-time middleweight champion of Africa and heavyweight champion of Australia, wrote that Joe Choynski was entitled to a place among the greatest pugilists of all time.

Fitzsimmons could not beat him; James J. Corbett failed to do it after forty rounds of battling. . . . Even Jim Jeffries, the unbeatable, had to be satisfied with a drawn decision after being in the ring twenty rounds with Choynski. And in 1901 that rising young Negro, Jack Johnson, even then a boxer of wondrous cleverness, encountered the middle-aged Choynski and was beaten.³

The comment of Jack Johnson's biographer that "Joe Choynski [was] known to an earlier age as the best heavyweight who never won the title" should perhaps stand in this age as well.⁴

It is a commonplace of popular Jewish history to assert that like the Greeks and Romans, the Jews were interested in a healthy mind, but unlike the Hellenes and their followers the Jews were not greatly concerned with the body. The Bible and the voluminous Rabbinic literature, however, are replete with evidence of a more than passing interest in physical development and athletic competition. During the Hellenistic period a gymnasium of the Greek type was established near the Temple site in Jerusalem. This activity and Jewish participation in "Olympic" events was viewed with horror by those Jews who saw the cult of the body as evidence of collaboration with the occupiers of Israel. In addition, time spent as participant or spectator was time withdrawn from study, and it was study which represented the emerging ideal of Jewish life. Hence, in the classical period and in the middle ages, Jewish athletic activity tended to be private and noncompetitive; exercise was recommended by various authorities including Maimonides for the maintenance of health.⁵

It was in the latter half of the eighteenth century that the Jew began to emerge as an athlete in the modern sense, and it was in the field of boxing that Jews were to achieve major recognition. This happened first in England and, from the end of the nineteenth century, in the United States. It was in England that Daniel Mendoza, the father of scientific boxing, achieved the championship in 1792. Although he lost his title to "Gentleman Jack" Jackson in 1795, Mendoza continued to fight for another decade and finally gave up the ring when at age fifty-seven, he failed in an attempt at a comeback! *The Universal Jewish Encyclopedia* lists the major Jewish pugilists who followed Mendoza, such as "Dutch Sam" Elias and Israel Belasco, and then offers the following comment:

[Joe] Choynski, with the exception of Mendoza, was the greatest of Jewish heavyweights even though he never won the heavyweight championship. Choynski started to fight in 1884, when John L. Sullivan was champion, and continued in the ring until 1904, when he hung up his gloves with a record of fifty victories against fifteen defeats.⁶

The English Jewish boxer came out of a social milieu colored by flagrant anti-Semitism, and some Jews countered this hostility blow for blow in street fighting. The social climate of England allowed a Jew to defend himself and respected the Jew who could do so successfully. A handful of Jews went from street fighting to the ring, achieving not only respect but upward economic mobility. "The willingness of the Jew to fight, coupled with his skill . . . must be accorded a measure of credit for enabling the Jew to establish himself as a member of the English community."⁷ If the image of the Jew as fighter was to change the British stereotype of him, all the more did it change the self-image of English Jewry. In 1812 Pierce Egan, an English boxing writer, said: "The name of Mendoza has been resounded from one part of the kingdom to another . . . though not 'the Jew that Shakespeare drew' . . . [he] interested the Christian . . . in spite of his prejudices. . . ."⁸

In America, the quest for ethnic viability and economic mobility also led to the ring. In San Francisco in the 1880's rivalry was not unknown between boys of

San Francisco's Joe Choynski began boxing as an amateur in 1884 and turned professional in 1888. Although he never captured the heavyweight title, in his long career the clever pugilist fought six world champions: John L. Sullivan, Jim Corbett, Bob Fitzsimmons, Jim Jeffries, Marvin Hart, and Jack Johnson.



Irish and Jewish descent. One of those boys was Jim Corbett, another was Joe Choynski. Both had brothers who worked at city hall, each of whom claimed that his brother was the better fighter. That was enough to start a feud between Irish Jim and Jewish Joe.⁹ The feud led to a series of fights beginning in the fall of 1884, of which more later.

Also on Joe's side was his father, the San Francisco correspondent for the leading national Jewish newspaper (the *American Israelite* of Cincinnati), who described his sons as "four great, big, stalwarts, who are *Turn Verein* fellows, and who are, I think, able to knock Sullivan out . . . in a single round."¹⁰ In 1887, Isador N. Choynski wrote about Joe's fight with another Irish lad:

We are coming father Abraham! The boys of the Jewish persuasion are getting heavy on their muscle. Many of them are training to knock out J. L., and it may come to pass. It is almost an everyday occurrence to read in our papers that a disciple of Mendoza . . . has knocked out the best of sluggers, who point with pride to their ancestors. . . . This week a youngster, who calls himself J. B. Choynski, nineteen years old, native of this city, weighing a hundred and sixty pounds, fought for the championship and gold medal with one named [Joe] Connelly, and the lad with the Polish name knocked the well-knitted Irish lad of much experience, out in three rounds, and carried off the medal and the applause triumphantly. The Choynski is a candy-maker,¹¹ works every day and does not go into training; but has bones like unto Tubal Cain. I knew that boy's grandfather quite well—he is dead several years, but if the pious, learned grandfather could lift his head from the grave and look upon the arena where mostly the scum of society congregate, and behold his grandson slugging and sparring and fighting and dodging . . . he would hang his head and exclaim . . . What is this horrible show for?¹²

A few months later, Joe's journalist father reminded his readers that he had written about "a Jew-boy, a full fledged slugger whose name is Joe Boe Choynski, who won the champion belt and gold medal . . . for this coast." The readers were informed that the not-yet nineteen-year-old had fought four heavyweight amateur bouts in four months and that he had to defend his title at the Golden Gate Athletic Club with an old opponent.

. . . The young Jew got away with blacksmith [William] Keneally, who is thirty-two years of age, and has been a boxer of many years' standing. The Choynski boy fairly wiped the floor with the Irish gentleman, and finished him in four hard contested rounds. The Jews, who take little stock in slugging, are glad that there is one Maccabee among them, and that the Irish will no longer boast that there is not a Jew who can stand up to the racket and receive punishment according to the rules of Queensberry. Joe Boe is marching about town . . . with his diamond badge pinned to the lapel of his vest. . . .¹³

San Francisco was not unique in that its multi-ethnic neighborhoods produced rivalries, strengthened by prejudice, which gave rise to street fighters whose success resulted in their being invited to appear at organized amateur bouts. In San Francisco, as in London of the eighteenth century, Jews were free to enjoy what was somewhat facetiously called "muscular Judaism." In 1904, a Chicago Jewish newspaper delighted in the fact that a Berlin Jewish merchant named Jacobson had given a sound thrashing to a noble anti-Semite of that city. The editorial writer stressed the name Jacobson, finding it "quite as worthy of remembrance as that of Joe Choynski in the *Jewish Encyclopedia*." The analogy was made between the dangerous anti-Semitism of Berlin and the neighborhood conflicts of San Francisco. The editorial attributed some of Choynski's "prowess as a pugilist" to "Jew-baiting."

He had been teased and snubbed by his non-Jewish schoolmates until his pride resented it with good, hard fistic impressions upon his tormentors' physiognomies. . . . While, however, we may refer to these facts with undisguised satisfaction, we do not mean to propose pugilism as the most desirable means of subduing anti-Semitism. That were certainly a barbarous if not dangerous demonstration of homeopathy. But we do mean to imply that a little more serious consideration of . . . "Muscular Judaism," may often be a most effective antidote.¹⁴

Joe Choynski turned professional in 1888. On November 14 of that year a fight was arranged with George Bush at the Golden Gate Athletic Club on Stevenson Street, San Francisco. Bush was taller and "looked flabby, while Choynski's muscles stood out in bold relief." Joe floored Bush in the first round, and in the second round, "it was patent that Bush was a defeated man." The fight ended with a knockout near the end of that round.¹⁵

Another early professional bout, against Frank Glover of Chicago, was held at the California Athletic Club. A purse of \$1,000 was to go to the winner and \$250 to the loser. Joe trained at Dives' Gym on San Leandro Road and weighed in at 163 pounds. His opponent was seven pounds heavier. The fight went fourteen rounds, with Glover knocked out after going down for the fifth time in succession. The account of the fight was headlined: "A game fight made by the Chicago stockyards man, but the candy-puller's reach was too long."¹⁶ A St. Louis Jewish

newspaper noted that "brave Joe" won the purse "together with applause." The account continued:

I am sure . . . his parents felt bad at seeing him enter the ring, yet, when Joe is able to make a *mille* . . . at an honest and manly sport, they will be reconciled to the idea. . . . Joe has . . . acted very nobly toward his parents and his aged grandmother in Germany.¹⁷

A decade later, when Choynski fought Dick Moore in St. Louis and knocked him out in three rounds, the same Jewish newspaper in that city regarded it as "a questionable honor, indeed, which 'religious' Judaism will never claim, leaving that at the disposal of the radicals and the Zionists."¹⁸

One of the most celebrated boxing rivalries of all time, that between Choynski and Corbett, which began with the bantering of their respective brothers at San Francisco's City Hall, was to result in five bouts of which the latter three were professional. In his autobiography, James J. Corbett recalled his first two fights with Choynski. At their first meeting Jim Corbett viewed his opponent and saw "a magnificent looking fellow with a blonde head and great strength." The fight was brief: "We had only been fighting for a minute or two when I knocked him cold," Corbett said.¹⁹

It might well have been that Choynski and Corbett would never have traded punches again, but their brothers, Herbert Choynski and Frank Corbett, kept on feuding. Frank taunted Herbert over Joe's defeat and Herbert replied: "Even if Jim did lick him with the gloves, Joe can knock the 'daylights' out of him with bare fists."²⁰ A secret fight was arranged for a Sunday afternoon in a stone quarry just outside of San Francisco. Corbett's father heard of it and objected because he feared it would endanger his son's job at the Nevada Bank. Jim remembered telling his father: "If you feel that way . . . I'll go up to Choynski's house like a man and tell him I can't." The Irish lad went to the Choynski household on Golden Gate Avenue and there he met a third Choynski brother, "Chauncey."²¹ When Jim asked to see Joe, "Chauncey" replied: "You wait until this afternoon, you'll see him then, all right. He'll knock you all over the lot."²²

Young Corbett became angered, forgot his father's admonition, and dared Joe to come out. The challenge accepted, the fight took place on the sand hills outside of the city, and, while Corbett learned quickly that Choynski had improved through boxing lessons taken at the Golden Gate Club, Choynski finally lost. Corbett, still angry, took on one of Joe's brothers and had "the satisfaction of putting [him] out for the count." When Jim's father heard about the fight his concern vanished. He said: "You licked the *two* of them—the *two* Choynski boys? Aah! To hell with the bank!"²³

Years later, after Corbett had been the heavyweight boxing champion of the world, he praised the man with whom he had had more contests than with anyone else.

Joe Choynski, in my estimation, [was] one of the gamest and best fighters that ever lived, though a little bit too light for the heavyweight class. He was really as good as most champions I have seen, and this statement covers a period of nearly fifty years.²⁴

All of the three professional Corbett-Choynski fights occurred within a period of a month-and-a-half, during the summer of 1889. They took place at

Fairfax in Marin County, near Benicia in Solano County, and in San Francisco. The first bout, at Fairfax, was stopped after the fourth round by the local sheriff. The location of the fight had been kept secret, since it was illegal to stage fights to the finish outside of licensed clubs. Rumors of this fight were widely circulated, the press having built it up into a grudge match. It was known that the participants had chosen Decoration Day (May 30) as the time, a twenty-four-foot ring as the setting, a fight to the finish as the condition, and that considerable gambling money had been wagered. Despite all precautions to insure secrecy, Sheriff Healey had no trouble locating the event.²⁵ It appears that the sheriff was embarrassed by finding that the bout was still on when he arrived.

"Boys," he said, "I thought the fight would be over by this time. I'm sorry to stop it, and if you will go over into the next county I'll sit in; but I have to stop it now that I'm here."²⁶

As far as it went, it was a good fight. As a well-known sports writer remembered it, the interrupted battle was "fiercely contested," but the fighters had not "decided anything, so about a week later the two fought again."²⁷ It was generally held that Corbett looked the stronger and the odds were raised against Choynski for the next fight, which was really the continuation of the four rounds at Fairfax.

When the fight was continued, effort was again made to avoid the possibility of police interference. The press noted that "the sporting fraternity was greatly excited . . . that Corbett and Choynski would finish their battle. . . ." It was falsely rumored that the fight would be held on the Farallones or Goat Islands, so that no "sheriff will be allowed an opportunity to spoil the fun."²⁸ Actually, the fight took place on a long grain barge anchored in the bay close to Benicia. The principals and the fans reached the barge by means of the tug, *Sea Queen*. There were about two hundred spectators, some of whom were on the barge and others who watched from adjacent vessels. People began to gather at 4:30 A.M. on June 5, 1889. Before the fight began

the referee [Patsy Hogan] announced that when the men clinched he would order them to break away and step back without striking, and if they did not do so he would call it a foul. This innovation . . . led to a most scientific stand-up fight. . . .²⁹

Corbett wrote that he didn't anticipate that the fight on the barge was to be "the very toughest battle that I had ever fought or was to fight," and that he received more punishment than in all the "other battles put together" that made up his career.³⁰ It was a grueling, savage, and bloody piece of ring warfare. In an interview with boxing historian Nat Fleisher, Corbett said, "Before the battle was half over, some of the spectators were so sickened by the sight of the red carnage, that even hard-boiled ring fans looked away. . . ."³¹

At what proved to be the middle of the fight which ended in the twenty-seventh round, Corbett described himself as being so exhausted and having absorbed so much punishment, that he and his brother thought that he was "well on the way to defeat." Frank Corbett turned away from the ring and saw his brother Harry leaning over a gunwale crying into the water and sobbing, "I can't see Jim licked."³²

Nat Fleisher recorded that Joe Choynski was really stronger physically and was able to hit harder, but that Corbett had the advantage of height and weight.

It was in the twenty-seventh round that Corbett, who was flailing wildly, let go a desperate left hook which crashed squarely on Choynski's jaw. Joe fell for the count. Corbett later told Fleisher that he was almost out on his feet at the time and was so dazed that he had to ask his second, Billy Delaney, what had happened. Delaney told Jim that he had knocked out Joe, which was how Corbett found out that he had won! Years later in an interview, Delaney said that this fight was unequalled for cleverness, endurance, and the gameness displayed.³³

The two exhausted gladiators were carried to a tug which was to return them to San Francisco. Jim Corbett wrote in his autobiography that "as soon as I could get on my feet, I went to Choynski's cabin and shook his hand, turning the old feud into a friendship which has lasted ever since." A manifestation of that friendship came soon.

The following month, on July 15, 1889, Choynski and Corbett met in the ring for the fifth and last time. It was, however, the first time they had met without a grudge. The event was a four-round exhibition, billed as a benefit for Choynski. It was held at the Mechanics' Pavilion, before a crowd of 2,100 spectators, "including many ladies with their escorts." The social character of the evening was indicated by the presence of the Golden Gate Band, which "furnished an excellent programme of music." At the end of "four friendly rounds, which were loudly applauded," referee Patsy Hogan declared Corbett the winner of the event and Choynski the recipient of the benefit purse.³⁴ Despite their new-found friendship, once Corbett became the world heavyweight champion in 1892, he failed to give Choynski an opportunity to contest him for the title.

In 1890 and 1891, Joe Choynski had a number of bouts on the West Coast and then fought five times in Australia, at Sydney and Melbourne. In Australia, he only lost to Joe Goddard, the Australian heavyweight champion. Commenting on the Goddard-Choynski contests (they fought twice), the one-time Australian champion, W. J. Doherty, said:

One punch of Choynski's stands out in my memory . . . it was a masterpiece delivered by a master . . . straight as a sword-thrust, perfectly timed, perfectly placed, with all the speed and power and weight behind it that a trained and skilled athlete could command. And just as though he had been struck by lightning, Joe Goddard crashed to the boards and lay still. . . . by all the rules and traditions . . . such a punch should have kept the strongest man down and out for keeps.³⁵

At the end of 1891, Choynski sparred with John L. Sullivan, world heavyweight champion, in a three-round exhibition in San Francisco. Only three days previously, Joe had KO'ed Bill Woods of Denver in a thirty-four rounder!

The year 1892 was Choynski's most active in the ring. He fought across the United States and in England, winning all twelve of his fights, eight of them by knockouts.

In the summer of 1894, Choynski met Bob Fitzsimmons in Boston, for a five-round Bunker Hill Day exhibition. Joe floored Fitzsimmons and took the popular decision, though it was a no-decision fight. It will be remembered that three years later, Fitzsimmons won the championship by defeating Corbett at Carson City, Nevada.

In 1897, when Fitzsimmons won the crown, Choynski met another future

champion, Jim Jeffries, in San Francisco. Joe weighed in at 167 pounds, Jeffries at 219. Jeffries described the fight later.

Choynski rushed out and we went at it hammer and tongs, with the crowd going wild. He fought so fast he was all over me. . . . He convinced me that he was not only the cleverest boxer I had ever seen but also a terrific hitter. He fought so fast I could not use what skill I had to best advantage, and was taking a wonderful boxing lesson every minute. . . . he hit me so hard he broke my nose and wedged my lip between my teeth. He drove my head so far back I thought my neck stretched a foot. . . . During the remainder of the fight I knocked Choynski down three times but at the end of the battle [Referee] Graney called it a draw. . . . I had no regrets. I had taken a boxing lesson from a master and an artist. . . .³⁶

In the next several years, Choynski met many able opponents and knocked out or decisioned most of them. Then, Choynski was contacted for a fight with the still-unknown Jack Johnson on February 25, 1901, at Galveston, Texas.

Galveston was Johnson's home town. Local promoters wanted a major adversary for him so that he might demonstrate the talent that would lead him to be considered a major contender. Sports historian Denzil Batchelor, who wrote the life story of Jack Johnson, the first black heavyweight champion of the world, recorded how important the Choynski fight was for the man who would hold the title from 1910 when he defeated Jim Jeffries, until 1915, when he lost it to Jess Willard.

[Jack Johnson] the coming man was meeting a fighter with an historic reputation. . . . Moreover, Choynski was not by any means on the slide. . . . The bout with Choynski in Galveston was certainly the first big chance in Johnson's life. If he won it, the way lay open to the top of the tree; if only he could persuade Jeffries or Corbett to withdraw the color bar and meet him on level terms.³⁷

Joe came with experience, and the fight showed that all of Johnson's strength and promise could not overcome it. In the third round, Choynski landed a left hook to the temple and Jack Johnson crashed to the floor. It was a knockout and was one of the few times that Johnson lost that way. In later years Johnson said that it "was the hardest punch" he had ever received in his fistic career.³⁸

As the fight came to an end, five tall Texas Rangers, wearing ten-gallon hats and holding drawn guns leaped into the ring and announced that the governor of Texas had ordered the arrest of the principals. A cheering crowd accompanied the boxers to the local jail where they spent twenty-eight days before charges were dropped. It was a big news story. "The world noticed him [Jack Johnson] for the first time. . . . In prison with Joe Choynski—that was a real achievement!"³⁹ According to some boxing experts, it was during the twenty-eight days in the Galveston lock-up, that "Choynski taught Johnson the finer points of the manly art."⁴⁰

Joe's ring career ended in 1904 after seventy-seven bouts. He won fifty times, half of those by knockouts, drew six times, and lost fourteen times; the remaining seven fights were no-decision or exhibition matches. Choynski was one of the greatest scientific fighters of all time. After he defeated Peter Maher in Chicago, on February 16, 1900, a special dispatch to San Francisco observed that he had fought the battle as he had mapped it out and emerged as the winner, without a

scratch.⁴¹ Reverting to the language of the ethnic rivalry of Irish and Jew in San Francisco, G. A. Danziger, the West Coast correspondent for the *Jewish Voice* of St. Louis, called Choynski a scientific boxer as opposed to his Irish rivals: "Limerick has brute force, while Jerusalem has science. Paddy loses and Joseph wins. I wish it were ever thus."⁴² The *New York Times* noted that Choynski was "in no sense a killer, but a forerunner of the type of fighter who learned early the value of science over brute strength."⁴³

Joe Choynski's skill became legendary. It was Battling Nelson, who had been lightweight champion of the world, who told a typical story about this skill. According to Nelson,

He had a wicked habit of placing his fingers on an opponent's breast while in the clinches of a fight as if to talk to him. With the tips of his fingers touching the other fellow's right nipple, he would say, "Now, old fellow, you want to be good." Then before a word could be said in reply, by the mere movement of the wrist, he would plunge the heel of his left hand into the man's liver. When the man doubled up from the unexpected pain, Joe would whang him in the jaw and the fight would be over. . . . I saw Choynski do this a couple of times and I began to study anatomy.⁴⁴

Although Corbett is credited with developing the left hook, he admitted that it should have been called "The Choynski." "But I guess I was still mad at Joe, so it got called the left hook . . . the first new blow in pugilism since pugilism was young."⁴⁵

The great chronicler of Broadway and the world of sports, Damon Runyon, wrote a column at Joe's passing in 1943. Runyon was upset that Choynski's death had occasioned the comment that he was "the greatest hitter for a little man that boxing had ever known." Runyon favored Henry Armstrong for that role. Armstrong was a featherweight, while Joe was little, as heavyweights go, before there was a light heavyweight class. Nonetheless, Damon Runyon said:

I did not see Choynski fight, though on the testimony of those who did, I am willing to agree that he was good, this eye-witness testimony being the only kind I accept about the fight game.⁴⁶

Runyon may have misread an obituary article by Howard W. Smith in the *San Francisco Chronicle*, in which the writer said:

Old-timers claim that Joe Choynski was the sharpest hitter of all time. Not the hardest, understand, for Joe was little more than a middleweight. But he could put every ounce of his 172 pounds behind a precision punch that had been prepared through rounds of maneuvering his opponent.⁴⁷

Joe Choynski was not a brutal fighter. He achieved his knockouts by skill and science. Brutality was against his nature; science was consistent with his character and background. Mrs. Mortimer Fleishhacker, Jr., daughter of Joe's oldest brother Herbert, knew Joe as a child and remembered the family tradition as well as her own impression that he was "a soft, sweet, lovable man." She observed that the family thought it unusual for a man with such a personality to have been a boxer.⁴⁸ The only survivor from Joe's generation in the family, a sister-in-law, Mrs. Edwin Coe, described him fondly as a "kindly, soft-hearted, truly great personality whom everyone called a marvelous man." She remembered his "tall,

handsome slenderness and his compassionate blue eyes.”⁴⁹ He retained his handsome appearance throughout the twenty years of his boxing career and in fact, it was noted that “he never wore a bandage and, strange as it may seem, never injured his hands.”⁵⁰ Joe once recounted to friends, “I used to stick my fists into a pickling vat, maybe for hours, just to toughen ’em up.” The press called his hands “vinegar-hardened.”⁵¹

“Soft-spoken and scholarly,”⁵² Choynski’s accomplishments were not limited to the ring. As the San Francisco *Examiner* observed:

Unlike many of the bruisers of the era when two-ounce and skin tight gloves were used . . . Choynski was highly intelligent and well read in the classics, and often in his correspondence referred to some quotation to make a point.⁵³

Not only was Joe a reader and a truly literate person, he was also known as a collector of antiques who “possessed some exceptionally valuable ivory.”⁵⁴ Choynski was interested in music and one of his old fight friends humorously recalled “hearing battling Joe . . . play a waterlogged piano.”⁵⁵

When in 1903 Choynski was asked the secret of his ring longevity, he said that he always lived the good life. It was important to him to retire early each night. He said that he never drank a drop of intoxicating liquor during his fistic career. He stressed that he did not chew or smoke tobacco and had not been sick an hour during his fighting years. “That’s the secret of my success.”⁵⁶ Tim McGrath, an old-time sports figure, agreed that “Joe was a teetotaler,” but he was so anxious to best the Australian Goddard, that he “consented to try ale and stout as a body builder,” to no avail.⁵⁷

Choynski would walk the extra mile for a friend, and his friends remembered him. John L. Sullivan visited San Francisco in 1891 with his play, “Honest Hearts and Willing Hands.” The production was a flop. In order to help Sullivan out of hock, Joe agreed to the exhibition fight in which he sparred with the champ.⁵⁸ Joe’s ring friendships lasted. Whenever Corbett was in Pittsburgh where Choyn-

Choynski opponents (below) included Jim Jeffries (left), who in 1897 had to be satisfied with a drawn decision after 20 rounds, and young Jack Johnson (right), who was beaten by the middle-aged Choynski in 1901 and spent 28 days with Choynski in jail when the fight was broken up by Texas Rangers.



ski lived for some years, they met to reminisce and dine together.⁵⁹ The *San Francisco Examiner* morgue has an unidentified clipping headlined, "Chinese Remembers Choynski in Will." The text tells that Choynski was notified in Pittsburgh that he had been "left a legacy of \$10,000 in the will of Jim Pon, a Chinese whom the boxer befriended years ago."

Most of the Choynski family memorabilia were lost in the San Francisco earthquake-fire of 1906. The bulk of the surviving material of this important California Jewish family is to be found in the journalistic sports reports and in the voluminous newspaper writings of Joe's father, Isador Nathan Choynski, in such organs as the *Weekly Gleaner* and the *Jewish Times* of San Francisco, the *American Israelite* of Cincinnati, and his own newspaper, *Public Opinion*, a journal of general circulation.⁶⁰

Clearly, the Choynski household was highly literate and politically oriented. Joe's father was one of the founders and leaders of the Hebrew Young Men's Literary Association, established in the 1850s in San Francisco. His leadership, atypically, was a product of his intellectual brilliance, rather than the result of economic success. The highest office in the community structure of the Jewry of the western states was the presidency of District Grand Lodge No. 4, Independent Order of B'nai B'rith. Though B'nai B'rith traditionally had German Jewish leadership, and I. N. Choynski was a Polish Jew, he held the District Grand Lodge presidency in 1874 and was re-elected for 1875.⁶¹ Joe's father also had been an editor for the *Alta California* and a reporter for the *Evening Post*; he was known in literary circles for his Antiquarian Bookstore and press. His brother, Joe's uncle Isaiah, was a well known writer for the *San Francisco Chronicle* and had been a reporter for the *Examiner* of that city.⁶²

When Lincoln first ran for the presidency, Isador Choynski stumped the state for him and was rewarded with an appointment as federal customs collector for San Francisco. His early muckraking approach to politics is indicated by a series of speeches he gave on the West Coast in the late 1850's.⁶³ His *Public Opinion* was highly political as were his columns for the ethnic press.

Joe's mother was the former Harriet Ashim, who had been a pupil in the 1850's of Rabbi Julius Eckman, of San Francisco. Her father was Jewish, her mother a convert to Judaism. At her marriage to Isador N. Choynski on March 20, 1862, Rabbi Eckman wrote in his newspaper, the *Weekly Gleaner*, that

Mrs. I. N. Choynski, is the only pupil that is connected with our religious school, from its opening in July, 1854, to this day: first as a pupil and afterwards as a faithful, untiring teacher.⁶⁴

Mrs. Choynski never quite accepted her son's role as a fighter. "Before a fight his mother became upset, behaving like a crazy woman, but the rest of the family overrode her objections."⁶⁵ Joe was sensitive to his mother's concern. After the 1889 fight with Frank Glover, Joe's brother Edwin related that Joe came home and laid the prize money on the table, a considerable sum.

Surprised, my mother excitedly asked, "Where did you get that, Joe?" "The fellow I was training won, Ma, and I'm taking care of his money." It wasn't until the next day when the papers carried stories of a young boy, who as a substitute, triumphed over a seasoned veteran, that Choynski's mother learned it was her son who was the hero of the hour.⁶⁶

The five children of Isador and Harriet Choynski, in the order of their birth, were: Herbert, a leading San Francisco attorney; Miriam, who did not marry; Joe; Morris, later a theater owner in Chicago; and Edwin, a prominent San Francisco stockbroker.⁶⁷ The Choynskis were members of Congregation Sherith Israel.⁶⁸

Joe's wife, Louise, was a member of a non-Jewish Cincinnati family. She had been an actress and later joined her husband in personal appearances on the stage. Joe and Louise lived at various times in Chicago, Pittsburgh, and in Cincinnati, where he retired. The couple had no children. When Joe died on January 25, 1943, his wife survived him as did his brothers Morris and Edwin and his sister Miriam.⁶⁹

In later years Joe went back to school and was graduated as a chiropractor in Chicago. On a visit to San Francisco he was interviewed and described as having a successful practice in Pittsburgh, where for some years he had been physical director of the Pittsburgh Athletic Club.⁷⁰ In a 1923 visit to his home town, he made an appearance at the Olympic Club. There he put on the gloves, working out with a young boxer, and he was a very trim figure at the age of fifty-five.⁷¹ When he was seventy years of age, he was still "lightning fast," as he trained young fighters at the Athletic Club in Cincinnati.⁷² Toward the end of his life, Choynski was engaged as "a film consultant for the Hollywood version of the life story of his boyhood rival, Jim Corbett."⁷³

Joe Choynski's career offered the first major opportunity for the stereotype of the Jew to be extended from the world of trade to the world of sports, from storekeeper to athlete. When the image of the Jew was broadened by activities so typically American as athletics, the Jewish presence in America was further naturalized. Out of the ethnic conflicts of cosmopolitan San Francisco, Joe Choynski emerged as a symbol of how American a Jew might be, given a new frontier upon which to plant an ancient culture. Joe Choynski was a great fighter, a great Californian, and the first international sports figure to come from American Jewry. He was a champion, though he never held the title.

THE PHOTO on page 335 is reproduced from Edwards, *Portrait Gallery of Prominent Pugilists in England, America, and Australia* (1894); photo on page 342 from the CHS collection.

NOTES

1. Nat Fleisher, *The Ring Record Book and Boxing Encyclopedia*, 381 (New York, 1958). The Choynski family lived at 1209 Golden Gate Avenue, San Francisco, in 1884. For assistance in research, the writers wish to express their appreciation to Donald Canter of the *San Francisco Examiner*, Reva Clar, Esther and Goodwin Goldfaden, Harvey Horowitz, Allyn B. Newman, Doris Roach, Willrich Schroeder, Jerry Spiegel, Bernard Turk, and the United Savings Helms Athletic Foundation.

2. Robert A. Haldane, *Giants of the Ring: Story of the Heavyweights for Two Hundred Years*, 81 (London, 1948).

3. W. J. Doherty, *In the Days of the Giants: Memories of A Champion of the Prize-Ring*, 80 (Sydney, 1931).

4. Denzil Batchelor, *Jack Johnson and His Times*, 27 (London, 1956).

5. For a variety of modern Jewish views of boxing, predominantly negative, see Harold R. Barnes, "The Immorality of Boxing," *American Judaism*, Winter, 1959; Bernard S. Raskas, "A Jewish View of Boxing," *The Reconstructionist*, March 5, 1965; W. Gunther Plaut, *National Jewish*

Post and Opinion (Indianapolis), April 19, 1963; Abraham R. Besdin, "Is Boxing Moral?" *To Our Colleagues*, Summer, 1972.

6. *The Universal Jewish Encyclopedia*, Volume I, pp. 584–585 (New York, 1939).
7. Bernard Postal, Jessie Silver, Roy Silver, *Encyclopedia of Jews in Sports*, 137 (New York, 1965).
8. Postal, et al., *Encyclopedia*, 137, quoting Pierce Egan, *Boxiana* (London, 1812).
9. Harry Simonhoff, *Saga of American Jewry 1865–1914*, 251 (New York, 1959). The two brothers were Herbert Choynski and Frank Corbett.
10. *American Israelite* (Cincinnati), June 30, 1885, p. 5.
11. He was employed as a candy-maker by George F. Roberts and Company.
12. *American Israelite*, September 23, 1887, p. 9.
13. *American Israelite*, December 16, 1887, p. 9. See also *Daily Alta California* (San Francisco), November 30, 1887, p. 8.
14. *The Jewish Conservator* (Chicago), November 18, 1904, p. 2; *Jewish Encyclopedia*, Volume IV, p. 47 (New York, 1904).
15. *San Francisco Chronicle*, November 15, 1888, p. 8; *Daily Alta California*, November 15, 1888, p. 1.
16. *Daily Alta California*, February 27, 1889, p. 8.
17. *Jewish Voice* (St. Louis), March 22, 1889, p. 5.
18. *Jewish Voice*, October 27, 1889, p. 4.
19. James J. Corbett, *The Roar of the Crowd: The True Tale of the Rise and Fall of a Champion*, 38 (Garden City, 1926).
20. Corbett, *Roar of the Crowd*, 39.
21. The nickname "Chauncey" was a corruption of Choynski. Joe's brother, Morris, bore that nickname. Interview with Mrs. Edwin (Florence) Coe, May 15, 1972. Mrs. Coe, of Atherton, California, is the widow of Edwin, Joe's youngest brother.
22. Corbett, *Roar of the Crowd*, 39–40.
23. Corbett, *Roar of the Crowd*, 40–41.
24. Corbett, *Roar of the Crowd*, 38.
25. *Daily Alta California*, May 31, 1889, p. 4.
26. Corbett, *Roar of the Crowd*, 70.
27. Wilfred Diamond, *Kings of the Ring*, 28 (Kingswood, Surrey, 1913).
28. *Daily Alta California*, June 5, 1889, p. 8.
29. William Hogan and William German, eds., *The San Francisco Chronicle Reader*, 70–72 (New York, 1962), quoted from the *San Francisco Chronicle*, June 6, 1889.
30. Corbett, *Roar of the Crowd*, 75.
31. Nat Fleisher, *Gentleman Jim: The Story of James J. Corbett*, quoted in Harold U. Ribalow, *The Jew in American Sports*, 150–151 (New York, 1959).
32. Corbett, *Roar of the Crowd*, 80–81.
33. Corbett, *Roar of the Crowd*, 86–88; Fleisher, in Ribalow, *Jew in American Sports*, 150–151. When Joe took the left hook he fell back and hit his head against an iron ring post. Dazed, he was judged unable to continue, and Corbett was credited with a knockout. *Los Angeles Times*, January 26, 1943, Part I, p. 17.
34. *Daily Alta California*, July 16, 1889, p. 8.
35. Doherty, *Days of the Giants*, 81–82.
36. Hugh Fullerton, *Two Fisted Jeff*, 78–81 (Chicago, 1929).
37. Batchelor, *Jack Johnson*, 29.
38. Batchelor, *Jack Johnson*, 29.
39. Batchelor, *Jack Johnson*, 30.
40. Postal, et al., *Encyclopedia*, 151; *Call-Bulletin*, January 26, 1943, p. 11.
41. *San Francisco Chronicle*, February 17, 1900, p. 4.
42. As quoted by Rudolf Glanz, *Jew and Irish: Historic Group Relations and Immigration*, 102 (New York, 1966).
43. *New York Times*, January 26, 1943, p. 23.
44. Battling Nelson, *Life, Battles and Career of Battling Nelson*, 118 (Hegewisch, Illinois, 1908). The author's full name was Oscar Battling Matthew Nelson.

45. James J. Corbett, quoted by Frank G. Menke, *Sports Tales and Anecdotes*, 106–107 (New York, 1953).
46. Damon Runyon, *San Francisco Examiner*, sports column, February, 1943, supplied by Donald Canter, from the *Examiner* morgue.
47. Howard W. Smith, *San Francisco Chronicle*, January 26, 1943, p. 1H.
48. Mrs. Mortimer (Janet) Fleishhacker, Jr., Letter to William M. Kramer, April 19, 1970; interview with Mrs. Edwin Coc.
49. Interview with Mrs. Edwin Coc.
50. *San Francisco Examiner*, January 26, 1943, sec. CCCC, p. 17.
51. *New York Times*, January 26, 1943, p. 23.
52. *New York Times*, January 26, 1943, p. 23.
53. *San Francisco Examiner*, January 26, 1943, sec. CCCC, p. 17.
54. *Call-Bulletin*, January 26, 1943, p. 11.
55. *San Francisco Examiner*, undated clipping from the Choynski file in the newspaper morgue.
56. Postal, et al., *Encyclopedia*, 151.
57. *Call-Bulletin*, January 26, 1943, p. 11.
58. *Call-Bulletin*, January 26, 1943, p. 11, quoting Joe's youngest brother, Edwin.
59. Corbett, *Roar of the Crowd*, 88.
60. The best collection of *Public Opinion* (San Francisco), published in the 1890's, is to be found at the Bancroft Library, Berkeley. The complete run of the *American Israelite*, for which I. N. Choynski wrote for decades as the West Coast correspondent under the pseudonym of "Maftir," is to be found at the American Jewish Periodical Center, Cincinnati, Ohio.
61. *The Hebrew* (San Francisco), January 23, 1874, p. 4, January 29, 1875, p. 4; Mrs. Mortimer Fleishhacker, Jr., Pioneer File, California Room, California State Library, Sacramento. I. N. Choynski was born in Graudenz, the Polish form of which is Grudziadz.
62. Robert E. Cowan, *Booksellers of Early San Francisco* (Los Angeles, 1953); *San Francisco Chronicle*, January 25, 1899, p. 5; *Weekly Gleaner* (San Francisco), February 1, 1861, p. 2; *Langley's San Francisco Directory for the Year 1865*, p. 373.
63. *Weekly Gleaner*, December 30, 1859, p. 4.
64. *Weekly Gleaner*, March 21, 1862, p. 5; interview with Mrs. Edwin Coc; interview with Miss Florence Coc.
65. Interview with Mrs. Edwin Coc.
66. *San Francisco Examiner*, January 26, 1943, sec. CCCC, p. 17, 18. See also *Daily Alta California*, February 27, 1889, p. 8.
67. Interview with Miss Florence Coc.
68. Congregation Sherith Israel, Dues Record Book, 5622 (1862), at Western Jewish History Center, Berkeley.
69. *San Francisco Chronicle*, January 26, 1943, p. 3H.
70. *San Francisco Examiner*, undated clipping from the Choynski file in the newspaper morgue.
71. *San Francisco Chronicle*, January 26, 1943, p. 3H.
72. *New York Times*, January 26, 1943, p. 23.
73. Postal, et al., *Encyclopedia*, 152.

“Why Shouldn’t California Have the Grandest Aqueduct in the World?”: Alexis Von Schmidt’s Lake Tahoe Scheme

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IN THE LAST DECADES OF THE NINETEENTH CENTURY, Americans were dazzled by material progress; no dream seemed too bold, as steel rails and telegraph wires linked distant parts of the nation and electricity flooded city streets with light and streetcars. But needs and expectations in the new age produced many practical engineering problems to be solved. Crucial to the continued growth and sustenance of the rapidly expanding American cities were larger public buildings, paved streets, and efficient water supply and sanitation systems. The engineers who tackled these problems did not win the adulation paid to statesmen of progress like Bell and Edison, but a few, including San Francisco engineer Alexis Von Schmidt, fired the public imagination.

The size and success of Von Schmidt’s projects built his reputation; his optimism, confidence, and driving energy made him a magnetic public figure. His tremendous assuredness and know-how led him to insist on managing each of his engineering schemes from start to finish; he drafted plans, raised money, and supervised construction. When existing tools or engineering techniques proved inadequate to complete a particular job, Von Schmidt devised his own. And like many men who win success easily, he was infected with a “grand obsession.” He was determined to build “the Grandest Aqueduct in the World” to carry the water of Lake Tahoe to the mines, farms, factories and cities of Northern California. It was a fitting dream for the “Age of Enterprise.”

In 1827, when Alexis was six, his family fled Russia and settled near Vincennes, Indiana. Little is known of his early life, except that the boy decided to follow his father’s occupation, civil engineering, and received his training in American universities. In May, 1849, gold lured the young engineer to California. Once in San Francisco, he resisted the impulse to join the feverish hordes flocking to the Mother Lode; instead, he went to work as a United States surveyor, mapping

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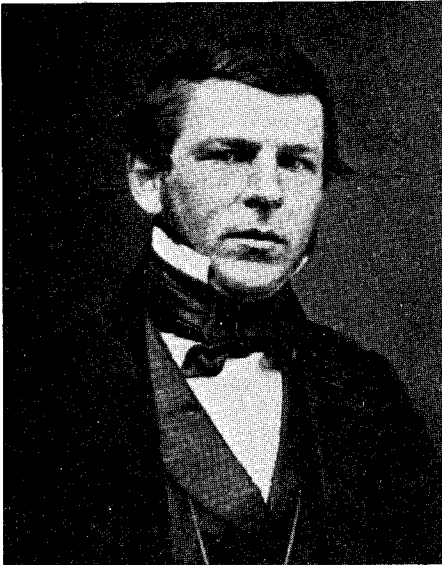
public lands and Spanish land grants throughout the state. By the middle 1850's, as towns began to blossom in Northern California, Von Schmidt recognized the opportunities for imaginative engineers in solving urban problems; thereafter, most of his schemes concerned San Francisco.

In the thirteen years from 1857 to 1870, every project Von Schmidt undertook demonstrated his daring, originality, and versatility. He was one of the founders of the Bensley Water Company and, as the company's chief engineer, he built San Francisco's first water supply system in the late 1850's. After the company refused to pay him for use of a water meter he had invented, Von Schmidt became chief engineer, and a leading stockholder, in the rival Spring Valley Water Company in 1860. Vowing to "get even," he built an even larger supply system which allowed his new company to buy out the Bensley Company and establish a water monopoly in San Francisco during 1865. By the middle 1860's Von Schmidt had also completed construction of San Francisco's first dry-dock at Hunter's Point. Visitors marvelled at the size of the transoceanic ships the dock could accommodate and at Von Schmidt's efficient pump system which could drain the dock in less than two hours.

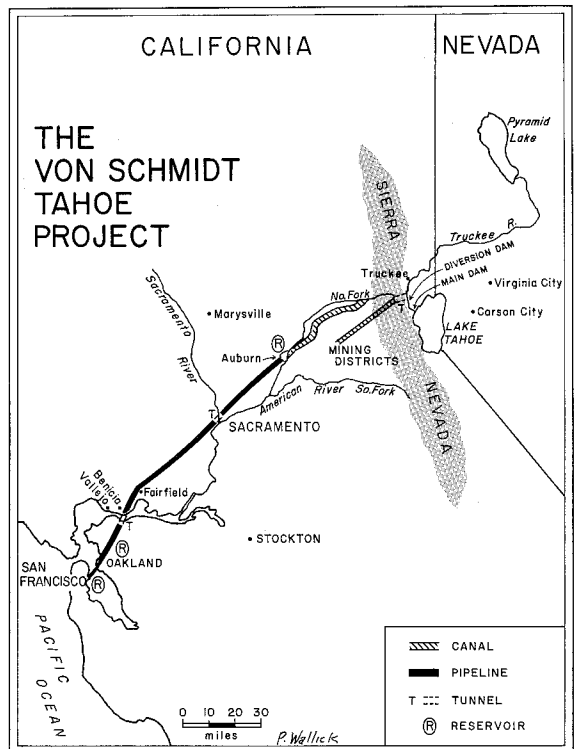
The crowning accomplishment of his career was completed on April 23, 1870. On that date San Francisco took a holiday as thousands of its residents climbed Russian and Telegraph hills to witness the removal of Blossom Rock, an immense hazard to San Francisco Bay navigation located near Alcatraz Island barely five feet below the surface at low tide. Twenty-three tons of dynamite had been wedged into a huge chamber excavated within the rock, and the successful explosion shot water and rock fragments hundreds of feet above the bay. Von Schmidt patented his method of excavation, and news of the feat was reported in New York newspapers and an English engineering journal. A similar method was later used to destroy Hell-Gate, an obstruction in New York City's harbor. By the summer of 1870, Von Schmidt's engineering ability was widely recognized.¹

The restless engineer had left the Spring Valley Company in 1864, convinced that San Francisco would soon outgrow its water supply on the San Francisco peninsula. Even before resigning from the newer company, he revealed an interest in using Lake Tahoe as a water supply, though not for San Francisco. In the summer of 1863 a plan was submitted to Virginia City's Board of Aldermen. As one of six directors of the Lake Tahoe and Nevada Water Company, Von Schmidt suggested that Tahoe water could be piped over a low range of hills near Carson City, through the Washoe Basin, then up to a reservoir on the side of Mt. Davidson where it could be stored as a supply for the mines and towns of the Comstock Lode. But the aldermen doubted the feasibility of the project, since the 6,000-foot elevation of Virginia City would require an elaborate and expensive pump system, and they balked at granting the company an exclusive water franchise.²

Two years later, on June 20, 1865, San Francisco's *Daily Alta California* announced that Von Schmidt had established the Lake Tahoe and San Francisco Water Works Company to bring the water of Lake Tahoe to the Bay Area, a distance of 163 miles across the interior of California. The *Alta* was confident the scheme would "... throw into the shade all similar works of either ancient or modern times, in the old or new world. The undertaking is so great that we can scarcely hope to see it finished in our time." The *Daily Morning Call* exuberantly



The size and success of Von Schmidt's many engineering projects built his reputation; his optimism, confidence, and driving energy made him a magnetic public figure. His project to bring water from Lake Tahoe to the expanding cities, farms, factories, and mines in Northern California fitted the imagination of the "Age of Enterprise."



declared that the project was “. . . decidedly the most stupendous waterworks enterprise ever undertaken on the American continent.”

Initially, Von Schmidt's proposal to build “the grandest aqueduct in the world” attracted few investors, and the engineer turned to other projects. But the initial survey work done in 1865 and 1866 was enough to worry Nevada's attorney general who questioned whether Von Schmidt had any legal claim to Tahoe water. The Nevada official argued that Nevada's farms and mills were completely dependent on the Truckee River and held preeminent water rights through established usage. He expected that more water would be needed to drive quartz mills which would be constructed after the trans-continental railroad and a spur line connecting Virginia City and Truckee had been completed. Von Schmidt called the complaint groundless, since the dam he intended to build at the outlet of the lake, he maintained, would store enough water to supply both states. In any case, he emphasized that California had a superior claim to Tahoe water since two-thirds of the lake and its outlet were within its border.³

The attorney general's fears turned out to be real but premature, for the project remained dormant until early 1870 when several circumstances contributed to its revival. The year 1869 had been very dry, and 1870 threatened to be even worse. Water rates in San Francisco rose to several times those paid by residents of New York, Boston, or Philadelphia. Everyone knew San Francisco did not have

enough water, and Von Schmidt's revelation that the Spring Valley Company shut down the water supply of certain parts of the city from midnight to dawn nursed public bitterness.⁴

The engineer's attack on the Spring Valley Company coincided with the introduction of new water bills in both Sacramento and Washington, D.C. In the California bill, Von Schmidt's company pledged to supply San Francisco with 20,000,000 gallons of water daily. In return the Board of Supervisors was required to submit a \$10,000,000 bond issue, at 7 per cent interest, to city voters at the next municipal election. The bonds would be paid off through water sales, and the act gave the board authority to buy out the Spring Valley Company at a price not exceeding the value of its capital stock. Undoubtedly Von Schmidt was confident that Tahoe water prices would undercut rates charged by the Spring Valley Company. As a result he could insure potential investors that if his project was accepted by the voters, ultimately the Lake Tahoe Company would establish its own water monopoly.

The provision of the federal bill would have given the Tahoe Company clear right-of-way over federal lands and a supply of earth, timber, and stone along the line of the aqueduct. Most important, a land grant was included. As each quarter of the aqueduct was completed, those ungranted odd checkerboard sections within twenty miles of both sides would become property of the water company. The California bill was sent to the San Francisco legislative delegation for consideration; the federal bill was referred to the Committee on Public Lands.⁵

The project touched off a storm of controversy. Land-grant bills were under heavy attack in Congress, and the *Chicago Tribune* called the federal bill "alms-giving," arguing that the federal government had no business subsidizing private corporations by giving away public lands. Virginia City's *Daily Territorial Enterprise* echoed the arguments made by the Nevada attorney general in 1866 and warned that if the project was approved by the California legislature and San Francisco voters, "... we advise the incorporators to bring to the mountains an escort of twenty regiments of militia. They will need them all for we will not submit to the proposed robbery. That's all."

The controversy was more than one exclusively over water rights. Going straight to the point, the *Enterprise* charged that San Francisco capitalists had turned Nevada into an economic satellite of California. Thus, the Lake Tahoe scheme was given symbolic meaning:

San Francisco speculators have been plundering this state for many years almost without rebuke. They have ruined our best mines, compelled us to feed their extravagance, and played foot-ball with the vital interests of the whole Commonwealth. We have submitted to all this, and shall probably be forced to submit to it for some time to come; but our water supplies from Lake Tahoe must not be tampered with by these gentlemen. They may take the gold and silver from our hills, and bind us in vassalage to the caprices of their stock boards, but the pure water that comes to us from Lake Tahoe, that drives our mills and makes glad our waste places, is God's exhaustless gift, and the hand of man cannot deprive us of it.

The Truckee River flowing out of Lake Tahoe was Nevada's life-blood; its water was the promise of future industrial development and economic independence from California.⁶

Reaction within California to the proposed bills was mixed. The Truckee River drove the machinery of the town of Truckee's factories and mills and supported its lumber industry by floating logs into Nevada. As it was, the river had sufficient volume only four months in the year to float timber across the border. If Nevada could not get the lumber it needed to build its towns and shore up its mines, Truckee would die, too. The *Truckee Weekly Republican* suggested violence would be used to prevent work on the project.

California's interior towns showed some support for the plan in the early 1870's. The *Marysville Union* was confident the project would "... cause millions of gold to be taken out that cannot be secured without this work, and hundreds of thousands of acres of the dry plains will be made into pleasant homes and add greatly to the taxable property of the State." The *Placer Herald* and *Auburn Stars & Stripes* maintained the project would allow miners to double or triple their operations. In Sacramento, a *Daily Bee* editor thought San Francisco could save capital residents the cost of building a new water system: "If San Francisco gives \$10,000,000 to somebody to bring in the waters of Tahoe, they will have to come by our door and we can have them cheap, clear, and in abundance. . . ." However, he was skeptical the project could be completed soon enough to meet Sacramento's needs.

In San Francisco Von Schmidt's ambitious project faced heavy opposition. The engineer was attacked for not publishing full details of his construction plans and for appealing to the California legislature rather than allowing San Francisco's Board of Supervisors to rule on the plan's merit. Most public officials thought an adequate low-cost water supply could be found on the San Francisco peninsula, and they knew property taxes would have to be raised drastically to pay the \$700,000 yearly interest on the bonds. Moreover, the water company, not the city, would own the completed water system and set its own rates. All this would have to be swallowed to get a water supply only twice as large as that provided by the Spring Valley Company. Some of the city's newspapers thought the bill was speculative, most thought it underhanded, and all smelled corruption.

These arguments hurt the bill's chance of passage, but it was the reputation of the 1870 legislature which killed it. There was nearly unanimous editorial agreement throughout Northern California that the 1870 legislature was the most corrupt in the state's history. Day after day editorials attacked one bill or another designed to subsidize a private company. The *Alta* pictured San Francisco as a medieval town under siege by robber barons roosting in Sacramento. The *Evening Bulletin* accused the legislature of trying to sell San Francisco by saddling the city with \$40,000,000 in debt threatened by a half-dozen private bills. The *Chronicle* expected that the state legislature would find a way to assign to the city the state debt, "or, might it not be a good plan to confiscate the city altogether—sell her off at tax sale—give Sacramento and Oakland their just proportion of the proceeds, and hand the balance to the Tahoe Water Company? This would relieve many persons of anxiety upon the question, how to pay their taxes."

A rumor reached San Francisco in mid-March that certain members of the legislature were getting ready to sneak the Tahoe bill through before adjournment. In response, petitions against the bill were circulated throughout the city—Von Schmidt claimed the runners were hired by the frightened Spring Valley

Company—and the signatures of over 1,000 prominent San Franciscans were forwarded to Sacramento. The chamber of commerce framed a bitter protest opposing any water bond-issue unless provision was made to transfer ownership of the completed works to the city. This opposition persuaded cautious members of the San Francisco legislative delegation to bury the bill. The federal bill remained bottled up in the Public Lands Committee.⁸

Still, by the end of 1870 Von Schmidt had good reason to be optimistic. In the summer a dam was built at the outlet of the lake and a survey made of the diversion canal branching off from the Truckee. A guard was posted at the dam to protect it against hot-headed residents of Truckee or Virginia City. Late in November San Francisco's Board of Supervisors awarded the Tahoe Company the right to lay water pipes in the city, and Oakland's mayor promised to get a similar bill passed in that city. The next step in the project was construction of a tunnel through the Sierra, and a leading stockholder in the company was confident that enough stock to finance the tunnel could be sold in six days.⁹

In February, 1871, advertisements began appearing in Sacramento and San Francisco newspapers announcing sale of 2,000 shares of stock with a face value of \$1,000 per share at \$200 a share. The announcements promised that the company was "... organized in good faith and will begin operations immediately." The stock sold briskly.¹⁰ Shortly after the new stock issue was put on sale, Von Schmidt made an offer to the Board of Supervisors. Confident that plenty of stock could be sold, he had modified his 1870 offer considerably. There was no attempt in 1871 to force the board to accept a decision made in Sacramento or by San Francisco voters; it was left entirely up to the board to approve or reject the project. The price had been dropped from \$10,000,000 in bonds at 7 per cent to \$6,000,000 at 6 per cent, and the new offer stipulated that the bonds would be issued only after Tahoe water flowed into San Francisco. Von Schmidt emphasized that the bonds were needed only to strengthen his company's credit. He promised the new water supply would be available within four years. At the same time he tried to meet the objection of those who wanted more detailed information on the scheme. Though full details were not published until October, 1871, most were released early in 1871 in letters to newspapers.

The water company claimed its water rights at Tahoe were guaranteed by California incorporation laws and a United States statute passed in 1866 entitled "An Act granting the right of way to Ditch and Canal owners, over the Public Lands, and for other purposes." Undoubtedly this was designed to allay fear of a possible water-war with Nevada.

The lake was expected to provide an enormous water supply. Von Schmidt claimed that his dam was capable of raising the lake level by six feet and that each foot would provide a supply of 137,000,000 gallons daily for a year. In wet years when the lake reached the top of the dam, 822,000,000 gallons could be provided daily, but since the company owned water rights to many small streams on both sides of the Sierra, in most years water would be drawn from the lake for no more than eight months.

Three and three-quarter miles downstream from the main dam a diversion dam would be constructed. At this point a six-mile canal would branch off from the Truckee flowing into Squaw Valley. A five-mile tunnel beginning at the head of

Hardscramble Creek would carry the water through the mountains to a tributary of the North Fork of the American River near Soda Springs. From this point a huge ditch, with a carrying capacity of 500,000,000 gallons daily, would carry water to hydraulic mines at Iowa Hill, Michigan Bluffs, Yankee Jims, Forest Hill, and other mining districts in the foothills.

The water destined for farms and towns would flow along the granite bed of the American River for twelve miles to a point from which a forty-mile stone-lined canal would link the river with a large reservoir near Auburn. From the reservoir a five-foot-diameter pipe-line would carry the water to Sacramento where a branch tunnel would carry the water under the American River. From Sacramento the aqueduct would run parallel to the Southern Pacific tracks through Fairfield to Benicia where a third tunnel would carry the water under a narrow stretch of the Carquinez Straits. From Benicia branch pipe-lines could carry water to Vallejo and Stockton. The main aqueduct would then cross the San Pablo flatland to the East Bay where a second reservoir would be constructed in the Oakland Hills. From that reservoir, a pipe-line with flexible joints would be laid along the bottom of the bay to Hunter's Point where the water would be stored for use in San Francisco.¹¹

As in 1870, there was a strong reaction from California and Nevada newspapers. Virginia City's *Enterprise* claimed all Truckee water belonged to Nevada because of the state's heavy dependence on the river. It urged the Judiciary Committee of the Nevada legislature to come up with a legal plan to block the project permanently; meanwhile, it recommended that the Nevada attorney general bring a temporary injunction suit in a federal court. It also supported a bill introduced in Congress on April 6, 1871, "[t]o inquire what legislation is necessary to prevent damage to public lands of the United States by the diversion of the waters of Lake Tahoe"

The *Enterprise* continued to charge that Nevada was being systematically plundered by California capitalists, but its efforts were useless. The federal bill was killed in the House Judiciary Committee, and neither Nevada's Judiciary Committee, nor its attorney general, took action. As Carson City's *Daily State Register*, a more thoughtful critic of the project, pointed out, only Truckee River water-users could press water suits and then only when injury to their water rights was "imminent" and "certain." Nevada could not act on fear of what *might* happen *after* the Tahoe project was finished. Von Schmidt had repeatedly assured Nevadans his scheme would not restrict the natural flow of the river, and, as it was, Nevada allowed much of the Truckee flow to go to waste. It had no legal right to hold unappropriated water for its future use.¹²

In San Francisco most newspapers continued to oppose any bond issue to support a private company. But the destruction of Blossom Rock in April, 1870, after the adjournment of the legislature, won the *Alta's* support of the project. In December, 1870, it paid the engineer warm praise:

Few men have done as much practical positive good to California as Col. Von Schmidt. He has fairly earned the name of a public benefactor and a great engineer. No undertaking seems too grand for his vigorous grasp. The magic of success attaches to whatever he touches, although often pronounced impossible by others with less genius, who never venture beyond the limits of the rules laid down in the books.

The *Alta* also ran many favorable letters from readers impressed with the purity and abundance of a Tahoe water supply. The *Chronicle* sympathized with Von Schmidt's desire to break the Spring Valley monopoly and hoped "... [he] will be permitted to go on with his work." The real question was who would pay for it.¹³

The unpopularity of the Spring Valley Company probably contributed to the decision made by the Board of Supervisors on April 4, 1871, to accept Von Schmidt's offer; in doing so it passed over several cheaper alternative supply offers from other water companies. San Francisco's experience with the Spring Valley monopoly, however, convinced Mayor Thomas Selby that the city should own its water supply and not be "at the mercy of a corporation." His veto message pointed out the Tahoe project would cost much more than \$6,000,000 if interest on the bonds and the city's expense of building a reservoir and laying water mains were considered. Moreover, it was uncertain how long the project would take to complete, and litigation over Tahoe water rights could imperil the city's water supply. The mayor called for a complete investigation of potential water sources in California, and the board subsequently sustained his veto.¹⁴

Undaunted, Von Schmidt went ahead with the project, confident that it could be financed without the city's help. In 1870 Leland Stanford had approached a major stockholder in the Tahoe Company with the ominous suggestion that the Central Pacific was interested in "connecting with our company." The directors of the Tahoe Company, however, were not willing to run the risk of falling under control of the railroad, and Von Schmidt did not like the alternative tunnel route through the Sierra suggested by the Central Pacific's chief engineer. Thus the offer was rejected. But the railroad was persistent; a joint water and railroad tunnel through the Sierra would have shortened the trans-Sierra railroad line by seven miles, reduced the grade, and eliminated the need for dangerous and expensive snowsheds. In the spring of 1871, the Donner Boom and Logging Company, a subsidiary of the Central Pacific holding extensive Truckee water claims, filed a Placer County injunction suit against Von Schmidt's company, charging that the Tahoe dam interfered with the flow of the river. Possibly the injunction suit was filed to force the Tahoe Company to enter a contract with the Central Pacific to share tunnel boring expenses. Or, perhaps Von Schmidt thought his company could use the financial backing and credit rating an alliance with the railroad would bring. In any case, the suit was dropped and the contract between the water company and railroad signed in August, 1871.

Clearly, the tunnel was the critical part of the project. Once completed, the aqueduct could be financed from water sales to miners in the Sierra foothills. Late in August, Von Schmidt returned to San Francisco with the news that a railroad tunnel had been surveyed and that within a few days two gangs of workmen would begin boring from both ends of the tunnel. By the following spring, he said, he hoped to have 400 workmen on the scene. Supply stores had been established at both ends of the tunnel, and Von Schmidt was eager to begin using the ingenious compressed-air tunnel-boring machine he had invented.

Then, suddenly, Von Schmidt's optimism was shattered by the death of George Ensign. Ensign had founded the Spring Valley Company but joined the Lake Tahoe Company in 1865, becoming a heavy investor and valuable booster. Settle-

ment of his estate stalled work on the tunnel. Moreover, many of the company's stockholders complained the railroad was not paying its full share of tunnel expenses. For these reasons the contract was cancelled, and the railroad soon lost interest in the project.¹⁵

The company suffered a second setback when the water committee which Mayor Selby had called for in his April veto message made a preliminary report on potential water sources. It suggested that the peninsula water supply, if properly used, was adequate for years to come. The Tahoe project was described as "chimerical" because the committee was convinced the Sierra tunnel would cost many times what Von Schmidt had estimated and would take much longer to complete. In response, Von Schmidt responded that the Spring Valley Company, which had bought water rights to many of the best potential sources in the Bay Area, was behind the committee's decision: "I should not be surprised if the people of this city will now be asked to appropriate a large amount to purchase water works supplied from heavy dewes."¹⁶

Von Schmidt did not give up. In January, 1872, he renewed his offer to the Board of Supervisors. This time he offered the city the opportunity to buy out his company within two years of project completion for an additional \$6,000,000 in bonds, or a total of \$12,000,000. The city ignored the offer, and Von Schmidt turned his energies to the legislature again. He proposed a new bill which increased the cost of the project to \$8,000,000, but guaranteed the city a daily supply of 50,000,000 gallons. The Von Schmidt bill was only one of three San Francisco water bills before the legislature, but, with strong support from California's interior counties—which had nothing to lose and everything to gain from the Tahoe project—the bill passed the assembly 49 to 27.

In response, both the San Francisco mayor and board demanded that the legislature defeat all three water bills. The senate had already passed a bill allowing the board to select a water supply without senate interference. However, when the Tahoe bill reached the senate floor, debate was hot. Many senators thought the bill was fair because it gave San Francisco voters an opportunity to pass judgment on the project. After a San Francisco senator read protests from San Francisco officials and threatened to resign if representatives from interior counties pushed the offending bill through, the bill was refused a third reading by a vote of 14 to 22. The other two San Francisco water bills were also rejected. The dam at the outlet of the lake, and a small diversion dam downstream, remained the only solid accomplishment of the Tahoe Water Company.¹⁷

Von Schmidt kept busy. In the summer of 1872 he accepted a \$41,000 contract to survey the California-Nevada border from Lake Tahoe to Oregon, and in the mid-1870's he invented a dredge and used it to deepen the estuary between Oakland and Alameda.

The Tahoe project was not dead, however. It was re-submitted, with some changes, to the Board of Supervisors in 1875 and 1877, and the new Board of Water commissioners visited the lake in July, 1876, on an inspection tour. But city officials still opposed the project, and the Lake Tahoe Company neared bankruptcy.¹⁸

The unpopularity of the Spring Valley Company and new water surveys made in 1874-75 and 1876-77 kept the water controversy hot. Although the city decided

to buy out the company in 1874, negotiations bogged down. In fact, despite other attempts, the company maintained its monopoly into the twentieth century. Almost yearly the company challenged the water rates set by the Board of Supervisors in court while the board demanded to inspect the company's books. Despite frequent legal battles, the company managed to expand its operations to meet most of the city's immediate water needs.

For ten years the Tahoe project lay dormant. Then, in July, 1887, a flurry of excitement developed over rumors that the Lake Tahoe Company would be revived with the help of Nevada investors, including silver-baron James C. Flood. Senators Leland Stanford of California and James Fair of Nevada were reported ready to lend their political influence. Von Schmidt refused to confirm the rumors, though through San Francisco papers he hinted that they had substance: "This Tahoe project has ever been a great hobby of mine, and I am satisfied I shall live to see my project carried out." Though Flood favored the project, his personal secretary denied the capitalist would finance it.

Nothing more was heard of the project until April, 1890, when Von Schmidt, now in his late sixties, appeared before the San Francisco Water Committee with an offer to construct a Tahoe water system capable of supplying 100,000,000 gallons daily for \$15,000,000. Since the city would own the system, Von Schmidt promised it could make \$3,000,000 yearly in water sales and cut water rates by 50 per cent. The committee was assured Nevada would not contest the diversion, but no action was taken.¹⁹

Nevertheless, the future of the Tahoe project was brighter than at any time since the early 1870's. Increasingly, San Francisco officials were convinced that only a Sierra water source could keep pace with the city's growth. And, by the 1890's, Sierra sources were more attractive because of their potential to generate electricity. In February, 1895, Assemblyman Calvin Ewing of San Francisco introduced a bill to create the State of California Water Works to supply Tahoe water, and electrical power, to San Francisco and interior California communities. California's governor, controller, secretary of state, attorney general, and treasurer were to serve as a board of directors in setting water and power rates. A state bond issue of \$40,000,000 would be issued as work progressed. The bill was killed, however, apparently because it required an amendment to Section Fourteen of the State Constitution to permit the state to incur the bond debt. Such massive public works projects were not yet considered the state's responsibility.²⁰

Full of concern, in January, 1900, Senator William Morris Stewart of Nevada made an unsuccessful attempt to have Congress designate Lake Tahoe as a national park. One section of his bill promised surplus Truckee water to Nevada farmers. Perhaps Nevada's renewed interest in the lake was partly responsible for the trip Luther Waggoner, chief of San Francisco's Department of Public Utilities, made to the lake that summer to map an aqueduct to San Francisco and inspect Von Schmidt's dam.

Prior to his trip, Waggoner suggested that water be drawn from Tahoe near McKinney's Resort, on the west shore of the lake, and carried by tunnel through the Sierra to Rubicon Springs. However, once in the mountains, he decided the Rubicon and American rivers matched Tahoe's purity and were much more ac-

cessible. Consequently, he urged the city to buy a suitable reservoir site in the western Sierra before the best sites were taken by mining-ditch and electrical power companies. Waggoner confirmed that Von Schmidt's aqueduct route was the best available.

The Waggoner survey team reported "much determined opposition" by Nevadans to any diversion from the lake. At a May 5 meeting held at the Reno courthouse, some farmers suggested "antagonistic measures" to block diversion. Instead, a resolution was sent to Mayor James Phelan of San Francisco challenging the Lake Tahoe Water Company's water rights and denying there was any surplus water to appropriate. The Nevadans hoped San Francisco's supervisors would visit Tahoe and Reno:

This would give them an opportunity to see the great sawmill of the Truckee Lumber Company, the box factory and the ice plant, all operated from the Truckee; the new paper mills at Floriston, where San Francisco parties have invested a million dollars; the ice works at Iceland, Floriston and Boca where Californians put up 200,000 tons of ice a year; the mills at State Line, and the new power plant to carry the Comstock mills and machinery; all the farms in our valley, with mills, electric light works; sawmills, box factories, etc. in Verdi, of which nothing would be left after taking away their water supply.

A four-man committee was appointed to deliver the invitation to the mayor and represent Nevada at any meetings of the board which would affect Nevada's water interests.

Waggoner's report, and the determined opposition of Nevadans, left Von Schmidt little hope. Too old to prosecute the scheme with his former energy, and too stubborn to delegate promotion of the project to others, in March, 1901, the seventy-nine-year-old engineer offered San Francisco the property and water rights his company held at Tahoe for \$50,000. The offer was ignored.²¹

On May 26, 1906, Alexis Von Schmidt died. A month earlier the old man watched from his Alameda home as San Francisco was ravaged by the three-day inferno touched off by the great earthquake. He had been one of San Francisco's master builders, and his daughter, Mrs. Lily Tilden, thought the shock of the fire hastened his death. He must have thought the city had paid for its shortsightedness: Tahoe water might have saved it. In September, 1907, the Lake Tahoe and San Francisco Water Works Company sold the forty acres of land it owned at Tahoe for \$400 and presented the money to Mrs. Tilden in honor of the services her father had rendered as president and chief engineer of the company. It was a small price for such devotion.²²

Shortly thereafter the Lake Tahoe Company disbanded, and its remaining property and water rights were acquired by a prominent San Francisco attorney, James A. Waymire, who had lost heavily through investing in the Turlock Irrigation District and hoped the Tahoe project would restore his capital and repair his tarnished reputation. The *Reno Evening Gazette* of September 5, 1908, ominously reported that Waymire had thoroughly studied the legal questions involved and secured strong financial support. Professor Henry Thurtell, a member of the Nevada Railroad Commission and former state engineer, alerted the *Gazette* to Waymire's plans, which the attorney revealed in greater detail several days later. Electrical power was an important part of his plan; four power plants

would be built on the American River capable of generating 400,000 horsepower. The cost of the project was set at \$42,000,000.²³

By this time the federal government's Newland's Project which appropriated Truckee and Carson River water to irrigate farms around Fallon, Nevada, had been in operation for several years, and announcement of Waymire's project did not incite the same reaction Waggoner's visit to Tahoe had in 1900. Still, the *Gazette* warned of the devastation of farms, factories, and towns, remembering that several months earlier Waymire had published two well-reasoned pamphlets which demonstrated he had thought about the many engineering and legal questions involved in the appropriation of Tahoe water. One pamphlet considered individual state and federal water-rights cases in detail to show that Waymire's company, the California Water Company, had a legitimate claim to unappropriated Tahoe water. Yet, Waymire was convinced California had more than a legal right to the largest share of Tahoe's outflow. A second pamphlet published in 1908, *Lake Tahoe and Truckee River Water Supply: Distribution of Interstate Waters*, compared in detail the populations, property values, and arable acreage of California and Nevada. The main purpose of the pamphlet was to encourage Nevadans to draw their water from other rivers in eastern California and leave use of the Truckee to California. Many of his arguments had been expressed by supporters of the Lake Tahoe project in the 1870's. But Waymire added the argument that the two states had different assets which complemented each other. Nevada's resources were mineral. At best, because of the alkaline nature of its desert soil, only 185,000 acres could be profitably cultivated, the pamphlet maintained. For that acreage, Donner and Independence lakes could be used as reservoir sites and the flow of the Carson River alone would be adequate for irrigation. Eventually, other reservoirs could be financed by the federal government Reclamation Service which supervised operation of the Newland's Project.

As opposed to Nevada's limited agricultural prospects, the pamphlet continued, California was a gardenland with a rapidly increasing population. In time, Nevada might claim 1,000,000 residents, but California might well have over 40,000,000. California's larger population would need Tahoe water for electricity and manufacturing as well as irrigation and domestic use. The orchards along the American River, and 300,000 acres of fertile land east of Sacramento, would be immensely profitable if more water became available. Nevada would benefit from the power and business generated in California, and Waymire offered to endow the University of Nevada with \$1,000,000 if that state relinquished all claim to water from the Lake Tahoe watershed. Nevada could appropriate full use of the Carson and Walker rivers and all the water which flowed into the Truckee downstream from the dam at the outlet of the lake.

The persuasiveness of Waymire's proposal, and Von Schmidt's dream, was never measured, however, for suddenly, in April, 1910, James Waymire died on a trip East made "... for the purpose of financing California projects in which he was interested." We do not know whether the Lake Tahoe project was one of them.²⁴

Von Schmidt's project died with Waymire. San Francisco had turned its attention to Lake Eleanor and the Tuolumne River as potential water supplies. Ironically, the Tuolumne project became even more controversial than the Tahoe

scheme. John Muir blocked attempts to dam the Little Yosemite for thirteen years, but the Hetch-Hetchy Project was finally completed in 1934. Even more ironic, the expensive Hetch-Hetchy Project involved construction of a 155-mile aqueduct and a 25-mile tunnel under the coastal mountain range. Von Schmidt's vision had been vindicated.

The Tahoe project did not fail because it was corrupt or impractical. It failed partly because it appealed more to the imagination than to the pocketbook. It was expensive, and it was born at a time Californians had great respect for engineers but a greater fear of being robbed by government. Even more important, few men had the foresight of Von Schmidt and even fewer his abilities. How could political men, with little or no engineering knowledge, evaluate the practicality of bold engineering projects? And how could they predict how much water San Francisco would need in thirty or fifty years? In a larger sense, the Tahoe project highlighted the need for new agencies in city government and specialists to administer them. The Tahoe Project was one of many water projects city officials had to evaluate as San Francisco became the largest city on the Pacific coast. Politicians could neither accurately evaluate the merits of major engineering projects, nor could they raise the money needed to finance them. As a consequence, many new specialized agencies of local government were created in the 1870's, 1880's, and 1890's, including water commissions, utility commissions, and public-works boards. Unfortunately, in the case of water supply, these agencies came too late. By the time the city decided to own its water supply and felt confident that it could raise the money to pay for it, the old monopoly created when the city had been forced to rely on private capital could not be broken.

In both California and Nevada, Von Schmidt's project touched off a bitter water controversy which persisted, in varying forms, into the 1950's and 1960's. By the early twentieth century each state was convinced its claim to Tahoe water was strongest, and through the early decades of the new century the claims seemed irreconcilable. Von Schmidt's project left a bitter legacy.

VON SCHMIDT'S portrait is reproduced from the frontispiece to George Reimer, "Col. A. W. von Schmidt: His Career as Surveyor and Engineer, 1852-1900," masters thesis, 1961, in Bancroft Library; the map is courtesy the author.

NOTES

1. Von Schmidt left only a few personal papers, and efforts to locate records of the Lake Tahoe and San Francisco Water Works Company have been unsuccessful. No full scale biography of Von Schmidt exists, but George Reimer's "Colonel Alexis Von Schmidt: His Career as Surveyor and Engineer, 1852-1900," unpublished M.A. thesis, University of California, Berkeley, 1961, is useful. The unpublished "Biographical Sketch of Alexis Von Schmidt" written by his daughter, Lily F. Tilden, contains interesting biographical information. Typescript copies are in the California State Library, Sacramento, and the Marion O. Mitchell Collection, Bancroft Library, University of California, Berkeley.

2. *Virginia Evening Bulletin* (Virginia City), September 12, 1863.

3. *Alta*, June 20, 1865. The *Call* article was reprinted in the *Sacramento Daily Union*, July 6, 1865. The attorney general's comments were published in the *Union*, October 9, 1866; Von Schmidt's reply was printed in the *Union*, October 15, 1866.

4. *Alta*, February 21, February 25, and March 1, 1870; *San Francisco Evening Bulletin*, March 2, 1870.
5. SB 346 (Betge), Calif. Leg., introduced February 14, 1870; S 572 (Cole), 41 Cong., 2 Sess., introduced February 21, 1870.
6. *Chicago Tribune*, March 7, 1870; *Daily Territorial Enterprise* (Virginia City), February 23 and March 2, 1870.
7. *Truckee Weekly Republican*, February 26 and March 5, 1870; *Marysville Union* editorial reprinted in the *Sacramento Union* October 30, 1871; *Placer Herald*, March 11 and April 22, 1871; *Auburn Stars & Stripes* August 11, 1870; *The Daily Bee* (Sacramento), March 19 and March 23, 1870.
8. *Alta*, March 12, 1870; *Bulletin*, March 2, March 17, and March 19, 1870; *Call*, February 20, March 20, March 22, and March 25, 1870; *Chronicle*, March 20 and March 24, 1870.
9. Von Schmidt to Davis Hewes, December 18, 1870, and George Ensign to Hewes, December 20, 1870; both letters in Hewes Collection, California State Library, Sacramento.
10. *Sacramento Union*, February 24 and March 8, 1871.
11. *Alta*, March 14, 1871; *Bulletin* March 14, 1871, *Chronicle*, March 15, 1871; Alexis Von Schmidt, *Report to the Lake Tahoe and San Francisco Water Works Company* (San Francisco, 1871).
12. *Enterprise*, February 22, March 3, March 5, March 9, March 12, March 14, March 15, March 16, March 17, April 13, April 14, April 21, and May 23, 1871; *The Daily State Register* (Carson City), March 11, March 12, March 15, March 26, and April 8, 1871.
13. *Alta*, December 17, 1870; February 28, April 8, and April 15, 1871; *Chronicle* March 14, 1871.
14. *Alta*, April 25 and May 2, 1871; *Bulletin*, April 25, 1871.
15. George Ensign to David Hewes, December 20, 1870, Hewes Collection; *Auburn Stars & Stripes*, October 12, 1871; *California Mailbag*, August, 1871; *Carson City Register*, July 13 and August 13, 1871; *Sacramento Union*, August 9, 1871.
16. *Alta*, December 13, 1871; *Report of the Special Committee of the Board of Supervisors on the Water Supplies for the City of San Francisco* (San Francisco, 1872).
17. AB 263 (Wheaton), Calif. Leg., introduced January 30, 1872; *Alta*, January 9, 1872; *Sacramento Union*, March 29, 1872.
18. Von Schmidt to Hewes, March 14, 1876, Hewes Collection; *Alta*, March 15, 1875, August 2, 1876, and May 10, 1877; *Chronicle*, May 10 and July 30, 1876. Also see G. H. Mendell's *Report on the Various Projects for the Water Supply of San Francisco* (San Francisco, 1877).
19. *Chronicle*, July 13, 1887; *Examiner*, July 12, 1887; *Bee*, April 18, 1890; *Call*, April 18, 1890; *Sacramento Union*, April 18, 1890.
20. AB 932 (Ewing), Calif. Leg., introduced February 20, 1895.
21. *Call*, May 6 and August 9, 1900; March 9, 1901; *Chronicle*, May 6 and May 11, 1900.
22. Lily F. Tilden, "Biographical Sketch of Alexis Von Schmidt." Also see the record of settlement of the Von Schmidt estate kept by Lily Tilden in the Mott-Von Schmidt Collection, Bancroft Library, Berkeley.
23. *Bee*, September 5, 1908, *Chronicle*, September 6, 1908; *Reno Evening Gazette*, September 5, 1908. There is no published work on Waymire. For biographical information see the *Call*, March 10 and December 19, 1907.
24. James A. Waymire, *Diverting Water from Lake Tahoe for Use in California* (Oakland, 1908) and *Lake Tahoe and Truckee River Water Supply: Distribution of Interstate Waters* (Oakland, 1908). The quotation on Waymire's journey east is from an obituary printed in the *Call*, April 17, 1910.

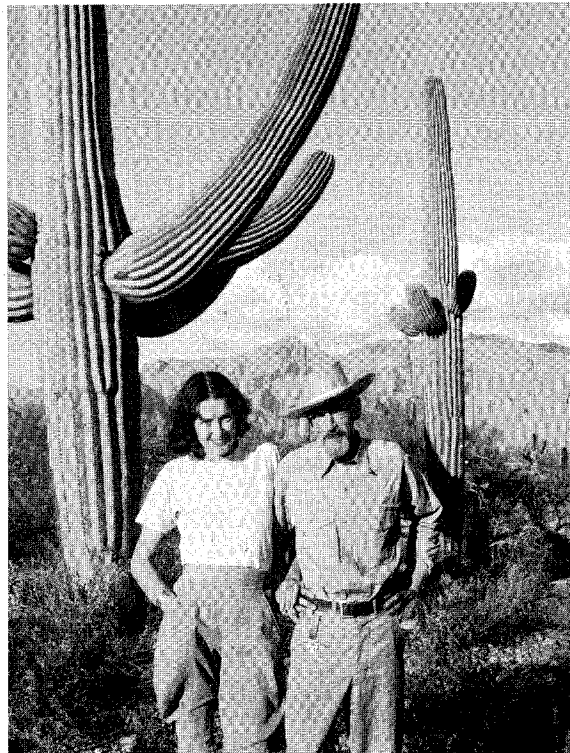


Maynard Dixon, Artist of the West

As Remembered by Edith Hamlin

For more than half a century—decades in which western mountains, deserts, and high plains passed from being the lone haunts of scattered Indian tribes and occasional white men to the scarred sites of freeway-nurtured housing developments—Lafayette Maynard Dixon, known as Maynard Dixon or by his artist's logo, an Indian Thunderbird, investigated, observed, and painted the American West. Artistically prolific despite lifelong, nearly incapacitating illnesses, Maynard Dixon is familiar through his works to individuals who do not know his name. Some 700-odd easel oil paintings produced since 1915 alone hang in museums, galleries, and homes around the country; countless drawings and sketches appeared in newspapers and magazines including *Overland Monthly*, *Harper's Weekly*, *Scribners*, *McClures*, and *Sunset*. Dixon's illustrations enhance some eighty books ranging from turn-of-the-century novels by Jack London, to Charles and Mary Beard's *A Basic History of the United States*, a 1940's collector's edition of Francis Parkman's *The Oregon Trail*, and collections of the artist's own stories, Indian legends, and poems. His mural decorations, many of them federal government commissions, hang in railway stations, schools, residences, theaters, libraries, and restaurants throughout the West and as far distant as the Department of the Interior building in Washington, D.C. Literally hundreds of exhibitions across the United States, including one in 1968 at the De Young Museum in San Francisco, have featured the works of this tall, lean man who once wrote about his art in *Sunset Magazine* (January, 1921):

Maynard Dixon and Edith Hamlin in Arizona desert, 1940



My object has always been to get as close to the real thing as possible—people, animals and country. The melodramatic Wild West idea is not for me the big possibility. The more lasting qualities are in the quiet and more broadly human aspects of Western life. I am to interpret from the most part the poetry and pathos of life of Western people seen amid the grandeur, sternness and loneliness of their country.

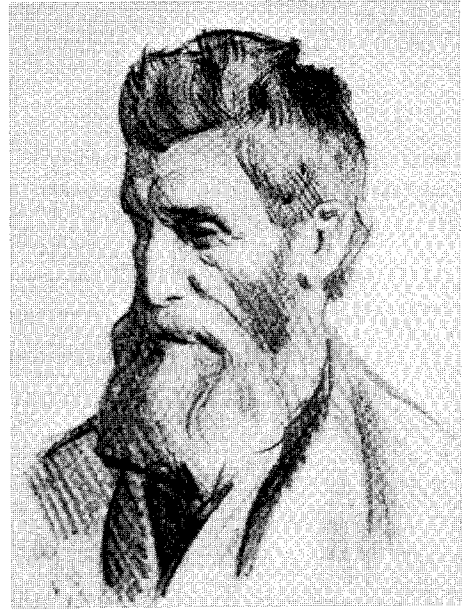
One hundred years after the birth of Maynard Dixon in the young San Joaquin settlement of Fresno, the California Historical Society is honoring one of California's finest native artists with a show at its headquarters at 2090 Jackson Street, San Francisco, which runs from February 25 to April 27, 1975. The exceptional show features nearly a hundred items, including sketches, ink drawings, oil paintings, photos of scattered inaccessible works, memorabilia, letters, and poems by the artist which have been gathered together with the assistance of Edith Hamlin, Maynard Dixon's wife from 1937 until his death in 1946. The text below, authored by Ms. Hamlin, a San Francisco painter and muralist, gives a personal account of the person and life of the artist, particularly during the years they shared. Editor's Note.

ONE HUNDRED YEARS AGO, on January 24, 1875, the renowned California artist Maynard Dixon was born in the frontier town of Fresno. His father, Harry St. John Dixon, had traveled to California with his family after the destruction of their family holdings in Mississippi during the Civil War. Near Fresno they homesteaded large cattle and sheep ranches. His mother, Constance Maynard, traveled west before the war with her family and settled in San Francisco. Her father, Lafayette Maynard, for whom her son would be named, was a former Virginia naval officer who speculated successfully in mining stocks, raised a family of six children, and played a prominent role in the southern social set of San Francisco. In 1873 Constance married Harry Dixon, and the two moved to the sparsely populated and raw San Joaquin Valley.

Young Maynard grew up amid the exciting events of the rough frontier town: Civil War veterans' reunions and parades, shootings, gambling, torch light vigilante processions, land speculations, and battles over irrigation rights. With desultory schooling because of frail health and frequent asthma attacks, he nonetheless assimilated much learning from his cultured parents and devoted paternal grandfather, from six uncles and aunts, and from his frequent sojourns at the Dixon ranch "Refuge."

As early as his seventh year, he made pencil sketches, crude but full of force, of the colorful life about him: broncos, cows and cowpunchers, cousins, and the rural landscape rimmed by faraway mountains. Although frequently lonely because of his delicate health, he had the good fortune to receive sympathetic artistic encouragement from his mother and his grandfather Dixon, a keen-eyed former Indian trader and contemporary of Daniel Boone. Judge Dixon grounded Maynard in the fundamentals of drawing and encouraged him to observe carefully, to perceive (not merely to see), and to judge distances and proportions. About his grandfather Mayard remembered:

He was a stern and picturesque old-time Southerner, with eyes like blue ice, and long white hair, topped by a wide-brimmed Stetson. He was one of my heroes, and he must have had a kindly understanding of my tendency to shyness and introspection, and felt



Early Dixon sketches, "Cowboy with Chaps" and "Bearded Prospector"

that sketching and studying nature would be a wholesome corrective. His influence had a lasting effect, along with that of my parents and uncles, particularly my Uncle Mordecai, who knew horses.

Uncle George not only gave Maynard a buckskin mustang, "Dandy," but taught him to ride, to haze along the "dogies" with the vaqueros, and to scout the foothills where vast flocks of sheep were kept on the move by Indian sheepherders. These early experiences indelibly impressed upon the sensitive and observant boy the long landscape lines and strong simple people which characterized the western land, impressions that Dixon the artist never outgrew.

The evolution of the future artist had begun. At age sixteen, when a sketchbook he had sent to his then-idol Frederic Remington was returned with words of encouragement and advice, Maynard quit school to study art seriously on his own. Self-trained and physically stronger by age nineteen, he produced illustrations for Charles F. Lummis' *Land of Sunshine*, the *Overland Monthly*, and Jack London's Alaskan stories. At age twenty-one he took on his first regular job as a graphic illustrator for the Sunday supplement to the *San Francisco Call* and then for the *Examiner*. In addition to providing maturing experience and building the young man's confidence as an illustrator, these hectic and strenuous years earned Maynard his first getaway trip to the long-dreamed-of Southwest from which he returned with a treasure of drawings. Several sketching trips through the western states later, and after a rich excursion to Mexico with his friend Xavier Martinez, Maynard returned to San Francisco where, in 1905, he married fellow artist Lillian West Tobey. Following the 1906 earthquake and fire, the now well-established illustrator left with his wife for the lodestone market in New York, where he spent seven successful years in book and magazine illustration. There he gained recognition for his paintings in New York galleries and clubs.



Maynard Dixon

Early drawings of Indians and self-cartoon of artist leaving studio during San Francisco earthquake and fire of 1906

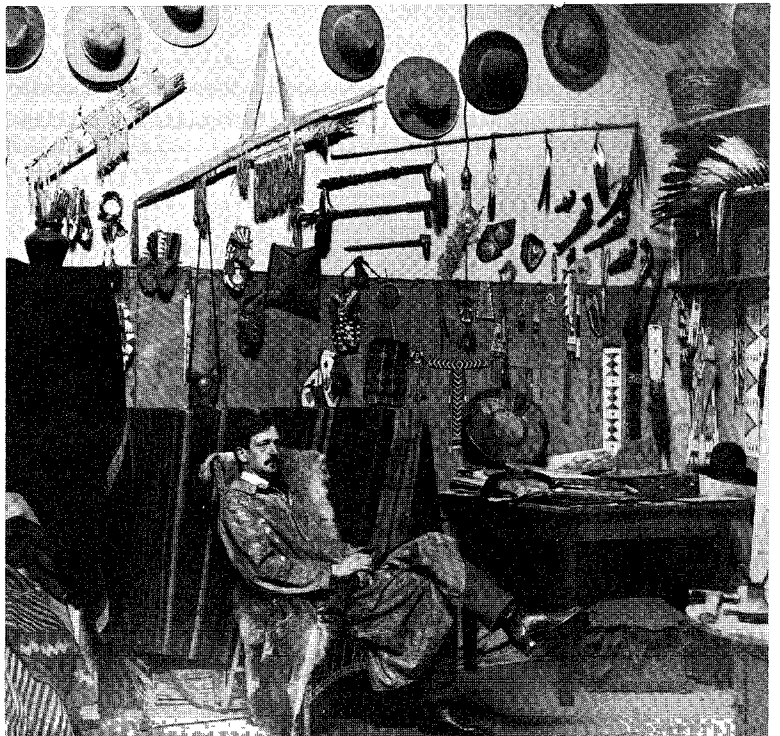


Maynard remained aloof from his New York success, though, and he frequently experienced altercations with eastern editors who understood the West only in the sensational terms of bucking broncos and marauding Indians. He pined for the West and increasingly aspired to leave the confinement of illustration. Returning to San Francisco in 1912, Maynard's decision was proved by the following years to be the right one.

Back on his home ground, without the heavy load of illustration deadlines, his painting developed with new directions and conviction. In addition to easel painting he began achieving recognition as a muralist as well, painting several widely acclaimed wall panels for the Baldwin mansion in Los Angeles. Recognizing the importance of his personal decision, Maynard once said: "I saw and always had seen something wonderful here in America. As a painter, then, I date from 1912." During the next four or five years of personal and artistic ups and downs, including depression about World War I, a divorce from his wife, and employment in an advertising and billboard company, he painted over 130 exhibition canvases, of which more than eighty found purchasers. In 1920, he married a young photographer, Dorothea Lange, who, a decade later, would gain wide fame as the Farm Security Administration and Resettlement Agency photographer who turned reluctant American eyes toward another ignored West.

Arriving in San Francisco in the early twenties to attend the California School of Fine Arts, I remember clearly my first impression of Maynard's paintings, shown in the Gump galleries. The sun-drenched, colorful, boldly designed landscapes had an immediate appeal for me. At the art school where Maynard taught briefly (he never liked formal art education or fashionable art) or striding down Montgomery Street to his studio, his lean, familiar figure dressed in casual Harris tweeds, trim early-western style boots, and black flat-crowned Stetson hat made him a colorful personality in the San Francisco scene of my art school years.

Dixon in his San Francisco studio on Montgomery Street, c. 1920, amid his Indian and frontier collection



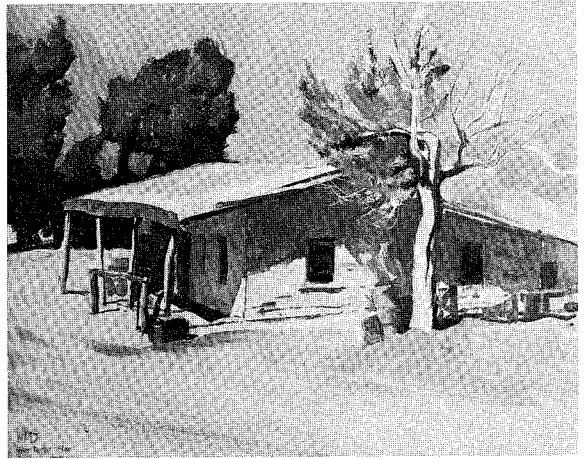


In his middle years Dixon (portrait at right by D. Lange) produced "Mystery Stone" (below), an illustration to his 1922 book of poems, and "Allegory" (1933-35), an equally mysterious canvas.



It was not until 1933, however, following my return from several years in New York, that I came to know Maynard personally. The Depression had produced conditions of severe unemployment for American artists until the new Public Works Administration began organizing and financing art projects in cities across the country. The project (known later as Works Progress Administration or WPA) invoked a renaissance in mural painting, particularly in public buildings. It was through the new San Francisco Mural Artists' Society and the camaraderie among the professionals at that time (Maynard also helped reorganize and taught at the Art Students League in San Francisco in 1934) that I came to know Maynard as a fellow artist. He was interested and most helpful in the murals I was painting for the library of the Mission High School in San Francisco. Our studios, where

In the mid-1930's the artist painted western scenes such as "Old Time Ranch House" (right), but Depression conditions such as the picket line in the composition drawing "Keep Moving" (below) stirred his imagination.



many of our artists' meetings were held, were almost adjacent. Following the breakup of his marriage to Dorothea Lange in 1935, and subsequently, of my own marriage, we had personal sympathies as well as artistic ones.

During the Depression years 1934 to 1938, Maynard's painting found new impetus and moved in the direction of social commentary. In sympathetic response to the violent San Francisco waterfront strike of 1934 came the moving paintings *Scab*, *Pickets*, *Keep Moving*, *Free Speech*, and others which incorporated a new cubist realism style and more somber palette. Following this group came the Forgotten Man canvasses of hoboes, agricultural migrants, and urban down-and-outers based on his recent western meanderings. The 1938 painting *Destination Unknown* depicting an old "bindle stiff" on the railroad tracks was the outstanding, final work, less specifically western and more truly American art in scope. A series of paintings and drawings on the construction of Hoover Dam which Maynard found a highly dramatic and awesome project also reflected his interest in the new western reality.

Meantime, in the golden days of September, 1937, Maynard outfitted his old wooden station wagon for an extended painting trip, feeling the need, as he did regularly throughout his life, to return to nature, his life's basic material. Maynard and I prepared to leave for Nevada, and, in answer to his two young sons' parting question, "Where are you going, Dad?", Maynard's eyes twinkled, and he replied, "To Carson City to buy a new hat." We were married there among old friends at the Bliss-Yerington mansion. The clear, crisp autumn days, the desert vistas and the glowing cottonwoods, the painting trips to pioneer towns, ranches, and mines, and the picnics and conviviality of those days stand out in my memory to this day.

Back in San Francisco after a year's absence, both mural commissions and exhibitions awaited Maynard. Since his first commission in 1907 for four lunettes in Tucson's Southern Pacific Railway station, mural design had strongly appealed





Commissioned by the federal government in 1937, "The Road to El Dorado," an 1840's theme in tempera on canvas, embellishes Northern California's Martinez Post Office.



Cartoon details—"Mountain Man" (far left), "Priest" (middle left), and "Indian" (near left)—for a mural at San Francisco's Presidio Junior High School which was never executed.



Harold Lloyd

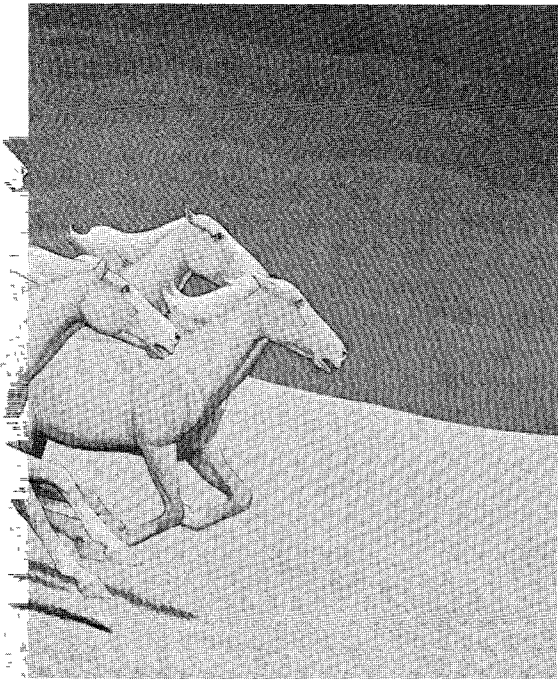


to him, and he completed over twenty such commissions in his lifetime. His bold, flat style, fine color sense, and excellent draftsmanship were particularly suited to architectural enhancement. Typical artists' problems with clients, politics, and considerable expense, however, prevented some of his best sketches from being executed. Because of the withdrawal of WPA funding, in addition to ill health and other work pressures, his handsome designs for historical murals in San Francisco's Presidio Junior High School had to be abandoned.

However, three other mural commissions were completed between 1936 and 1939. In the Kit Carson cafe, an attractive San Francisco theater-area rendezvous, two panels were installed. In 1939, along with other well-known American artists, Maynard was asked to design two murals, *The Indian Yesterday* and *The Indian Today*, for the new Department of the Interior building in Washington, D.C. The murals, in the foyer of the Bureau of Indian Affairs, were completed in 1940. We took the train east for the installation and the following festivities with which the Section of Fine Arts honored the artists.

Two mural commissions for California post offices were also awarded to Maynard by the Section of Fine Arts. For the Martinez post office, Maynard chose a Gold Rush subject, *The Road to Eldorado*. The Canoga Park post office near Los Angeles was decorated with *Palomino Ponies*, a spirited scene of early California vaqueros with a band of running horses. In 1946, Maynard designed his last mural, a Grand Canyon design, for the Los Angeles Pershing Square offices of the Santa Fe Railway which, because of Maynard's ill health, was executed under his direction by myself and his friends, Ray Strong and Buck Weaver.

As ill health hampered Maynard's work he turned more to easel paintings, writing, and sketchings, until in 1943 the Limited Editions Club awarded Maynard the commission to illustrate their volume of Parkman's *Oregon Trail*. This



In 1939 Dixon designed two murals for the new Bureau of Indian Affairs building in Washington, D.C. Dixon executed this cartoon (opposite, above) as an alternative composition on the theme "The Indian Yesterday."

Edith Hamlin recently restored Dixon's spirited oil-on-canvas mural, "Palomino Ponies" (1943), which adorns the San Fernando Valley's Canoga Park Post Office.



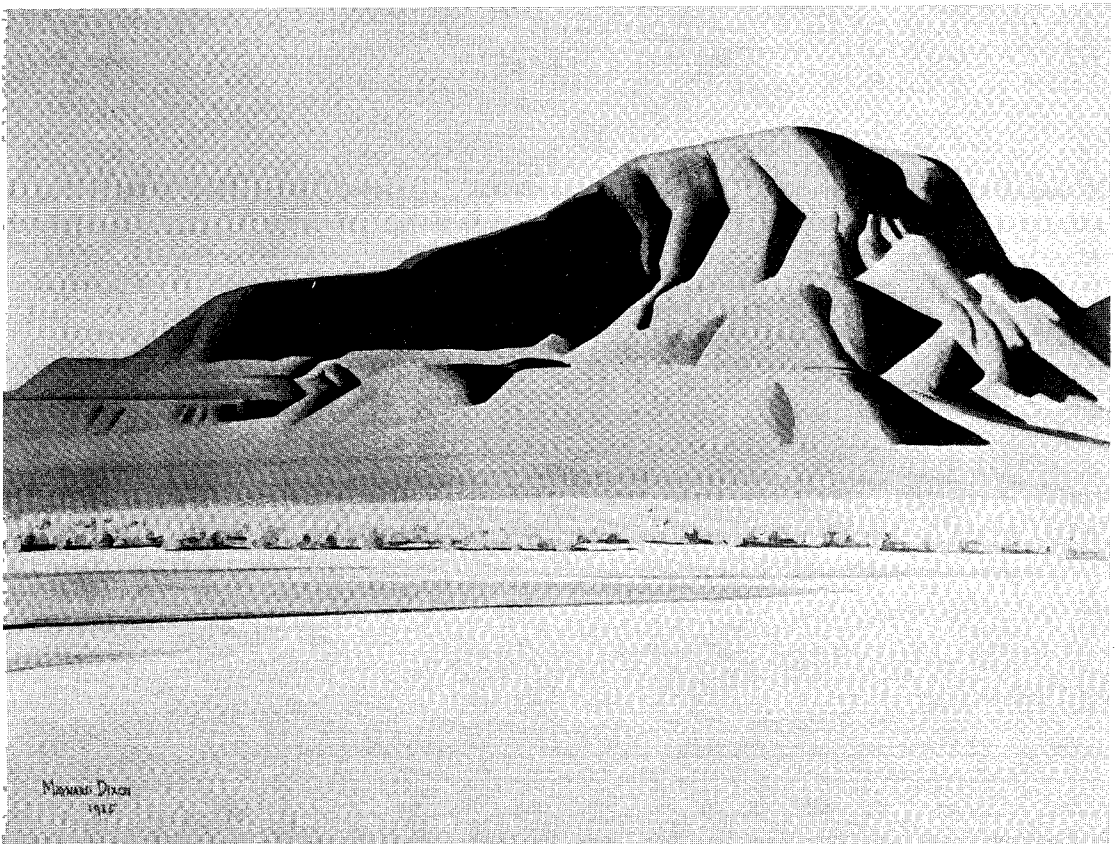
"Mountain Men" (above) and other bold paintings and sketches for the Limited Edition Club's volume of Francis Parkman's Oregon Trail (943) stand as the high point in Dixon's book illustration career.

The bold forms, strong composition, and shadow-and-light patterns of "Shorelines of Lahontan" (opposite, 1935), an ancient sea, are typical of Dixon's mature landscape style.

American classic, illustrated in early editions by Frederic Remington and N. C. Wyeth, was a great challenge to Maynard which gave his lifelong interests and his now mature style a unique opportunity for expression. He responded with a distinguished set of tempera paintings for the eight color plates and over fifty pen-and-ink drawings and designs for the text, end pages, and cover. The *Oregon Trail* effort pleased Maynard, and it stands as the most outstanding work in his career of book illustration.

During the eleven years of my close association with Maynard we shared much congeniality and devotion, and his precarious health and years added a precious quality to our time together. No feelings of professional competition arose between us, and we both sought and valued each others' frank opinions and critiques. We delighted in planning and building two homes, one in Tucson at the edge of the desert and the other in the high mesa country of Mt. Carmel in southern Utah. The Mt. Carmel summer and autumn retreat looked out over a green valley to the nearby magnificent White Mesas, and Maynard made many sketching trips both near and farther afield for paintings in his last years. I remember that our rural Mormon neighbor-craftsmen who built the pioneer-style log and stone house from native materials and who helped plant blue grass and fruit trees in the meadow wondered, "But where will you keep the pigs?"

Home-town San Francisco was increasingly reserved for holiday gatherings and exhibition openings. In Tucson Maynard's field sketches and studio compositions were infused with material from his new permanent home milieu—the nearby Papago Indians, the local Mexican settlements, and the ever-changing and



dramatic weather moods of desert ranges and big sky. Major mature works, clear in form and fresh in color, which grew from this environment included *No Trail* (1940), *Oncoming Storm* (1941), *Open Range* (1942), *Background for Cactus* (1943), and *Drought and Downpour* and *Home of the Desert Rat* (1944–45). From Mt. Carmel between 1941 and 1943 came *Canyon Ranch*, *Land of White Mesas*, and *Juniper Country*. Expeditions into the northern Arizona Navajo country, the beautiful Capitol Reef of the Mormon pioneer settlement, and nearby Zion and Grand Canyon national parks drew Maynard, providing rich source material for his work, although he rarely painted or sketched without rearranging and composing the elements in his own dramatic way. The many small field sketches from this time are among Maynard's finest.

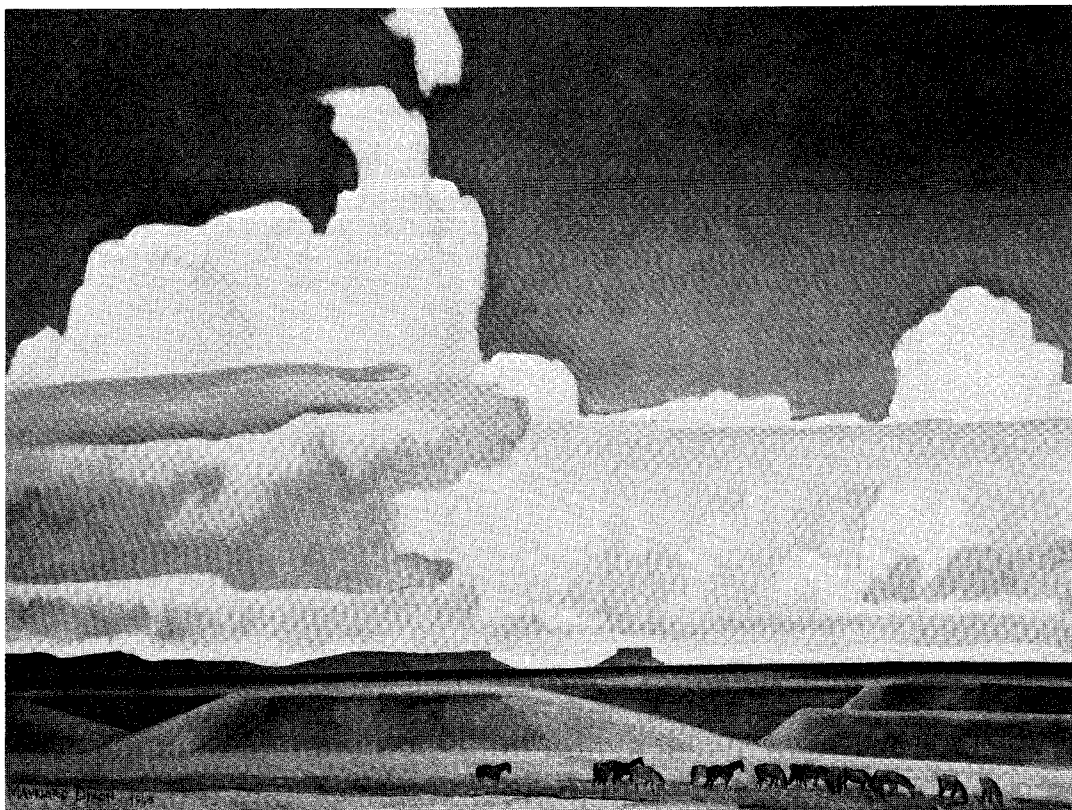
As I knew him, Maynard was a sensitive, intuitive, and complex person, with strong and independent convictions. A naturally warm and kindly man, he possessed a keen and robust humor, which was sometimes satirical as well. He lacked patience with hypocrisy and sycophancy and revealed the inner man to only a few, once remarking that some of the public preferred the legend which grew up about him rather than the reality. Among his artist friends in San Francisco were Gottardo Piazzoni, Ralph Stackpole, Xavier Martinez, Jo Sinel, and Harold von Schmidt. Earlier friends who remained close over the years included Charles F. "Pop" Lummis, Ed Borein, and Charlie Russell, and the writers Eugene Manlove Rhodes and J. Frank Dobie. Maynard valued, as well, the friendships of Indian trader Lorenzo Hubbell, other pioneers, ranchers, and miners, and Indians he first met on his sketching trips among the Winnebagos, Hopis, Navajos, Taos, and Papago tribes. Maynard loved America, with its traditions and folklore, deeply; a strong sense of its history permeated his writings and murals.

Creatively, he drew constantly and fluently from his earliest years. His free and flowing line and his understanding of textures, form, and light-and-shadow patterns that at once hide and reveal are as personal as his written signature. He took great pains to resolve these preliminary considerations before starting the final execution of a subject. A work started with a tiny rough drawing from life, from memory, or from imagination, and then the idea was reworked in many variations on the theme. Once he began on the final rendering, he worked very directly. Many works with which he was dissatisfied, he sooner or later destroyed. In his field sketches, coping with sun, time, and weather, he approached his subject creatively—discarding unessential detail, rearranging the composition instinctively, and memorizing the ephemeral elements he wished to keep. The fresh spontaneity of these smaller drawings and paintings is one of their great charms. While Maynard's style remained independent of prevailing "schools," he learned from many of them and maintained a vital interest in both ancient and contemporary art.

Although declining in health and afflicted with asthma and emphysema, Maynard remained productive into his final year; many decades of habit and discipline enabled him to carry on. For amusement he made drawings and watercolors of the guest ranch and tourist scene in Tucson, calling this group "Frontier Pants." In another series based on western ranch life and rodeo action subjects he developed his watercolor techniques further, with fresh, simple, and transparent clarity. Even so, he was restive, commenting to me, "I need a new direction, a



To the end of his long and prolific career, Dixon sought "to interpret . . . the poetry . . . of the western people amid the . . . loneliness of their country." (Above, "On the Rope"; below, "Cloud-drift and Prairie.")



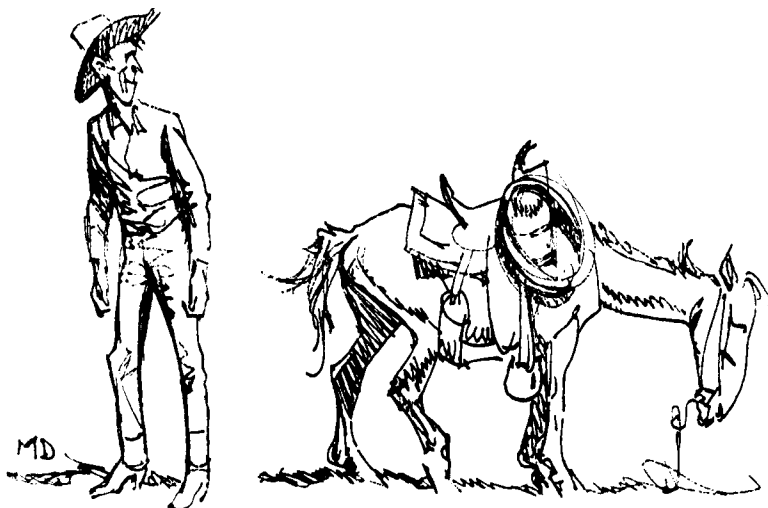
whole new concept in my work." Lacking the physical strength to turn this corner, he turned to writing in his last months in 1946, with a series of short stories. Tucson, with Maynard's many friends, the desert flora and fauna, and the magnificent Santa Catalina range just outside his big studio window, was beautiful, but creating beauty was his true vocation, and he sadly missed it. To me and others around him, though, Maynard's life was a rich and courageous one withal.

Words from one of his own poems titled "Visionary," written in an earlier year, reflect his thoughts on time and change, his life and impending death:

Am I a fool
in that I am deep-willed to seek
always a vision
known never to be reached?
Yet, so having striven,
having crushed my heart (and yours)
against the hard will of the world,
and though determination has grown gaunt
with an immortal hunger,
I am not yet resigned to wait.
I am deep-willed to strive
so that if old age, or even death,
only make answer
I still can say,
out of all the intense devotion of my days,
somehow here I have created beauty.

THE PAINTING "Allegory" is in the Daniel Dixon collection; the location of "Old Time Ranch House" is unknown; the drawing "Keep Moving" is in the International Longshoremen's and Warehousemen's Union, San Francisco, collection; "Shorelines of Lahontan" is in the International Business Machine Corporation collection; and "Cloud-drift and Prairie" is in the Russell V. A. Lee collection. Other items are in the Edith Hamlin collection.

Sketch reproduced from Arizona Highways, February, 1942



Hiram Johnson and Early New Deal Diplomacy, 1933-1934

HOWARD A. DEWITT

Professor of history, University of Arizona, Tucson

EARLY NEW DEAL DIPLOMACY evolved largely around the debate over the collection of war debts, the question of an arms embargo, and the economic role of the United States in world affairs. In this atmosphere a debate on foreign policy began that revealed a decisive split in American attitudes. The supporters of Franklin D. Roosevelt felt that a return to the Wilsonian concept of collective security would help to bring about a more stable international order. An opposing group of congressional isolationists, including Senator Hiram W. Johnson of California, argued that an active foreign policy would serve the nefarious interests of the business community. The two groups engaged in a debate that produced a drift toward isolationism. This drift was accelerated by the rising militarism in Europe and Asia, the failure of the Geneva Conference to promote worldwide disarmament, the inability to outlaw or control war, and the feeling that bankers and businessmen were leading the United States into an unwise foreign policy. Eager to avoid the mistakes of World War I the congressional isolationists passed the Johnson Act of 1934. This legislation placed an embargo on lending to nations in default on war debts to the United States government, and it brought the forces of isolationism into the mainstream of American politics. As the first of a series of neutrality laws the Johnson Act began the process of establishing an isolationist foreign policy.¹

In the debate over the position of the United States in international affairs, the role of California's Senator Hiram W. Johnson has been virtually ignored by diplomatic historians. The sensational munitions investigations of Senator Gerald Nye after World War I and the passage of more significant neutrality laws have overshadowed Johnson's contribution. As an influential member of the Senate Foreign Relations Committee and a man who had led progressive reform in California as governor from 1910 to 1916 before becoming a senator, he played a significant role in the triumph of isolationist attitudes; his approach to foreign policy epitomizes the "isolationist impulse" of the 1930's.²

This article will examine Hiram Johnson's influence on the Senate Foreign Relations Committee from January, 1933, through the passage of the Johnson Act of April, 1934. This act was the culmination of the California senator's early crusade to isolate America from world problems. Examined with Johnson's

NOTE: The author gratefully acknowledges the incisive criticism of the manuscript contributed by Professor Herman E. Bateman of the University of Arizona, Tucson.

Roosevelt and Johnson



*"For there is neither East nor West,
Border nor Breed nor Birth,
When two strong men stand face to face
Though they come from the ends of the earth."
—Kipling*

In 1912 California Governor Johnson aligned with progressive Theodore Roosevelt during the latter's unsuccessful Bull Moose bid for the presidency against Woodrow Wilson.

economic reasons for promoting isolationism, it provides an excellent case study of a portion of the isolationist mind in the decade prior to World War II. While the common picture of the isolationist is that of a narrow, self-seeking politician,³ nothing is further from the truth. Johnson simply represented a small minority of individuals who felt that war could be avoided through a highly restrictive foreign policy.

As originally introduced in February, 1932, the Johnson Act had nothing to do with directing the nation down a path toward neutralism in foreign affairs. Initially, it was one of three laws Johnson proposed to protect American investors from purchasing undependable foreign bonds. This legislation was the result of an investigation begun in December, 1931, on the fate of foreign bonds sold to American banks. The bonds, usually from Latin American countries, depreciated rapidly while Wall Street or international bankers often turned a sure profit from such transactions.⁴ Public opinion was extremely sensitive to banking and business practices, and this made Johnson's proposals popular among his colleagues.

Johnson, arguing that the Hoover moratorium on debts was a device encouraging the fiscal irresponsibility of European governments, charged that only American bankers and business interests profited from reduced war debts. His investigation, for example, revealed that the J. P. Morgan Company profited directly from the scaling-down of the Italian debt. After a readjustment of this debt the Morgan interests lent the Italian government \$100 million. Johnson accused the Hoover administration of subordinating the public interest to those of big business.⁵ His suggestion that the federal government had no intention of attempting to collect war debts paved the way for specific recommendations.

In a number of repetitious speeches Johnson argued that future credit must be denied to nations defaulting on war debts. As the Senate debated the debt problem in January, 1933, the California senator decided to expand his bill on the debt default of Latin American governments to include war debts. In a letter to his long-time friend and political confidant, Sacramento *Bee* publisher C. K. McClatchy, Johnson wrote: "I blew the lidd (sic) off the debt situation in the senate last Wednesday, because I thought it high time something should be said from the American standpoint."⁶ Johnson went on to explain that his mail was over-

whelmingly in favor of collecting war debts, and he reiterated his often-stated remark that anyone who favored debt cancellation was in collusion with Wall Street. Once the American voter realized the dishonesty of European governments, Johnson asserted, it would be easier to achieve an isolationist foreign policy.⁷

By late January, 1933, it was well known that President-elect Roosevelt favored debt reduction for Great Britain. Because of this attitude a debate broke out in the Senate on the role of the president in directing foreign affairs. Johnson, an ardent Roosevelt supporter, stood apart from the debate, and he predicted that Roosevelt would not reduce the war debts.⁸ In a meeting with Roosevelt in late January, 1933, Johnson informed the president-elect that the key to success in his administration was in naming a secretary of state who was not associated with big business. Roosevelt assured Johnson that Wall Street would not enjoy the same influence in his administration as it had in Hoover's.⁹

Nevertheless, Johnson soon became disenchanted with Roosevelt's public statements on the debt situation. In a letter to Harold Ickes, Johnson complained that he was "utterly unable to comprehend what Roosevelt is doing in the matter of foreign debts, that he is putting himself in a position where he will get his fingers burned I think there is little doubt."¹⁰ Johnson's correspondence reveals that he vacillated on Roosevelt's approach to foreign affairs, and uncertainty about the president-elect's position eventually drove the California senator into a stronger isolationist position.

An example of Johnson's position on future foreign policy was shown by his support of a "Buy America" clause in the Treasury-Post Office appropriation bill of February 2, 1933. This clause simply provided that federal government projects be constructed with American-manufactured products. Johnson argued that this was essential because American goods were often discriminated against in Europe. It also fit into the California senator's philosophy that a self-sufficient American economy would protect the United States from undue foreign involvement.¹¹

There were a number of other factors which made Johnson feel that Roosevelt's foreign policy might not measure up to his expectations. The constant cry for debt reduction from the eastern press and the publicity given to Senator William E. Borah's speeches calling for the renegotiation of war debts in exchange for a European promise to disarm bothered Johnson. It appeared that his colleague on the Senate Foreign Relations Committee was moving into the collective security ranks. In a letter to McClatchy of Sacramento, Johnson wrote of Borah: "There was a beautiful tribute paid to him recently. . . . It was paid to him because he changed his views on international relations and was now the strongest internationalist there was in the Senate. It was no shock to me to read this, because his debt speeches showed what he was doing, and the trend of his mind."¹² As the Roosevelt administration made its initial plans on foreign affairs, Johnson expressed a similar uncertainty about the president-elect in a letter to San Francisco attorney and former Hearst editor, John F. Neylan: "In common with very many others here, I am extremely perplexed about the debt and economic conferences. Confidentially, I don't believe that the President-elect has very many fixed ideas himself. . . ."¹³ Johnson's correspondence is filled with a sense of doom

about future foreign affairs, and it explains the fervid nature of his isolationist policies.

On March 4, 1933, Franklin D. Roosevelt was inaugurated, and the problems of ending the depression began to push foreign affairs into the background. In that next week, however, the arms-embargo proposal was discussed by Secretary of State Cordell Hull and Ambassador-at-Large Norman Davis. They urged Roosevelt to support the arms-embargo policy, and, on March 10, the president agreed. The State Department then sent letters to the chairmen of the House and Senate committees urging passage of the proposal. By mid-March, however, a hitch developed in the administration's efforts to secure an arms embargo law from Congress.¹⁴

Opposition to the resolution prompted the House Foreign Affairs Committee to hold a one-day hearing. On March 28, three witnesses—Edwin M. Borchard, of the Yale Law School; Edward A. Harriman, a lawyer and lecturer on international law; and Major General Amos A. Fries, former head of the army's chemical warfare service—all appeared to oppose the arms embargo. They argued that a discriminatory arms embargo was a breach of neutrality and that it would eventually draw the United States into world diplomatic problems. Their cogent arguments placed the arms embargo in a precarious position.¹⁵ As the House fought over the arms embargo, the State Department intervened with a plea for the passage of the resolution. Finally, in mid-April, the House passed the resolution, and the question of the arms embargo was sent to the Senate.¹⁶

On May 10, 1933, the Senate Foreign Relations Committee formally began consideration of the arms embargo resolution. However, in the week prior to this consideration, a split developed between the two leading isolationists, Johnson and Borah. Borah favored a discriminatory arms embargo. Johnson opposed it and argued that an embargo against an aggressor would unduly involve the United States in foreign affairs. The initial discussions prompted Chairman Key Pittman of Nevada to write Secretary of State Hull and report a division of opinion on determining the aggressor.¹⁷

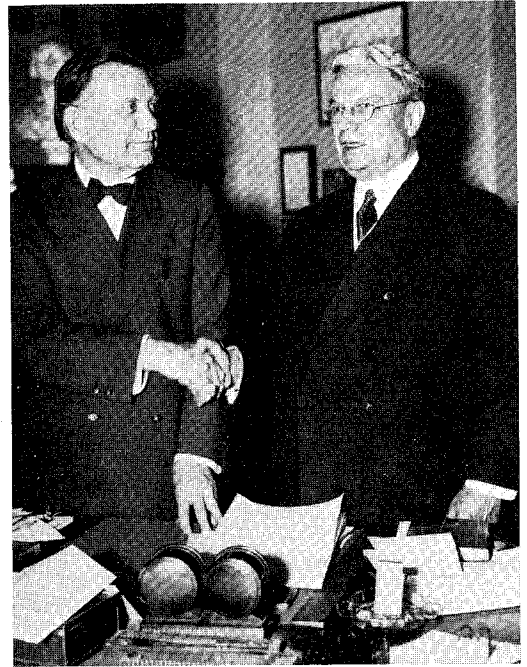
As the resolution was passing from the House to the Senate, Johnson exchanged letters on foreign affairs with the distinguished authority on international law, John Bassett Moore. Johnson argued that the arms embargo was being used to bring false peace hopes: "There is such a strange psychology now in our country, and particularly in the Congress, that the mere cry of 'peace' rousts logic, and this cry is so convincing to the unthinking, that with them it is all sufficient for the destruction of any fixed and definite policy."¹⁸ In his correspondence with Moore, Johnson nurtured the idea of an impartial arms embargo resolution as the most effective means of implementing congressional isolation.

The debate over the arms embargo focused attention upon Johnson's legislation to ban loans to nations defaulting on war debts. On May 8, the Securities Act of 1933 was passed to protect American investors from purchasing fraudulent or unstable foreign securities. This act reflected the feeling in Congress that economic involvement abroad was unnecessary, and it indicated the growing strength of the isolationists.¹⁹

As the Senate committee continued to hear testimony about the arms embargo resolution, Johnson became instrumental in the drift toward isolation. When the



Senator Johnson (above, at left) participated in the Senate Finance Committee's questioning in 1931 of National City Bank Chairman Charles E. Mitchell regarding "entangling" foreign loans. In 1935 Senator Borah (photo at right, Borah on left) congratulated Johnson on their defeat of Franklin Roosevelt's proposal that the U.S. adhere to the World Court.



committee resumed its work on May 24, Johnson offered an amendment stipulating that the president apply the embargo impartially to all belligerents. This radically altered the nature of the resolution by transforming it from a collective security measure to an isolationist one.²⁰ The idea for the impartial embargo came from Professor Moore and it reflected the "honest neutrality" approach to foreign affairs. This term suggested that a vigorous defense of American interests against both the Allies and the Central Powers would have averted U.S. entry into World War I. Johnson argued that past diplomatic mistakes should be used as a guide to future policy.²¹

President Roosevelt stunned Secretary Hull by accepting the Johnson amendment. The president probably agreed to the Senate committee's proposal because he needed the support of the old progressives to pass major New Deal legislation. It is also possible to speculate that Roosevelt may have been in agreement with Johnson's approach to foreign affairs. In a news conference on May 29, Hull expressed his disappointment with the Senate committee. He also argued that an active foreign policy was nullified by the impartial arms embargo.²² The significance of the resolution is that it ended the viability of collective security and brought isolationist policies that advocated minimized trade and financial contact with belligerents into a position of leadership.

By the early summer of 1933 the influence of the arms embargo resolution was instrumental in shaping American attitudes on foreign affairs. Throughout the remainder of the summer, Johnson continued to hammer away at the problem of war debts. When England paid only ten of nearly seventy-six million dollars owed from World War I, Johnson responded with the charge that American honor and dignity was at stake in the collection of these debts. He also voiced

strong disapproval of the London Economic Conference. Johnson viewed such a conference as useless, because he thought it was below the dignity of the United States to barter over debts and obligations owed from Europe. The activity of the Nyc Committee in 1934 and the popularity of the "merchants of death" theory have since overshadowed Johnson's role in helping to shape attitudes on neutrality.²³

His influence is difficult to assess, but by late August, Johnson argued that Roosevelt's advisers were placing the United States in a compromising diplomatic position. In summarizing the recent debt discussions with England, Johnson wrote McClatchy: "I told you how much I regret to see the Administration, in the matter of these debts, taking its orders from Great Britain and permitting every little internationalist connected with the Administration to make such damn fool speeches."²⁴ Norman Davis was the most dangerous internationalist, according to Johnson, in the administration's foreign entourage. In Johnson's correspondence he continually complained about the attitude of European nations on the debt problem and the role of internationalists, like Hull and Davis, in hampering the implementation of a stern policy of neutrality. He also noted the futility of international conferences in solving even the most insignificant diplomatic problems.²⁵

Because of his negative feelings toward Europe, Johnson continued to advocate a stringent form of economic isolation. The American investor, he proclaimed, as well as the federal government, must be protected from the pitfalls of foreign politics. Thus, Johnsonian nationalism promoted the concept of a self-sufficient economy and strict federal regulation of foreign trade.

Another part of Johnson's nationalism was the idea that federal regulation must be implemented to protect the private investor. He summarized his position in a cogent statement to President Roosevelt: "For some years now there has been complete accord among those familiar with the subject, that some method should be devised by which the ordinary citizen who held foreign securities might have some representation."²⁶ Johnson argued that the Securities Act of 1933 was not being used to protect the individual investor, and he noted the State Department's hostility to this effort. Johnson complained of the State Department's attitude: "To my mind it is perfectly absurd to say that it would complicate our foreign relations, or that we are bound to have controversies between the Department of State and the corporation."²⁷ Throughout the remainder of the fall and winter of 1933 Johnson criticized the unwillingness of Hull's department to supervise foreign investment. Johnson argued that big business had a stranglehold on the State Department and that the interests and welfare of the average citizen could not possibly receive the proper attention.

To remedy this situation Johnson began to suggest that Congress should legislate to prevent any sort of unfortunate foreign involvement from either government or private business interests. In a letter to L. E. Hanchett, Johnson expressed his feelings toward the State Department: "I am disgusted with the attitude of the State Department. I am unable to persuade myself that it is taken primarily to assist or even represent American investors. If a public corporation under the government of the United States cannot be formed to aid and assist our people who have been robbed, I want no private organizations which may

be, possibly designedly and possibly ignorantly, set up to protect those who are guilty of the grossest fraud. . . .”²⁸ The feeling that it was impossible to loosen the hold that banking had upon the State Department is reflected in a letter to Secretary of the Interior Harold Ickes: “. . . I would like to look into the minds of the international bankers of this country and see just what course they have charted for our Republic.”²⁹ Throughout Johnson’s correspondence there is a call for congressional legislation to prevent any future involvement in world economic affairs. The lessons of World War I, Johnson reasoned, should provide ample proof of this point.³⁰ It is obvious that the Johnson Act of 1934 was the direct result of the California senator’s concern for the protection of small American investors and his feeling that the activities of the State Department could not be controlled.

When Congress convened in January, 1934, the question of the arms-embargo resolution remained unresolved. Johnson was determined to present legislation which would prevent the State Department from dealing with governments defaulting on their war debts. He summarized his feelings in a letter to the president in late January, in which he noted that, “It would seem logical to make it an offense to sell in the future bonds of a foreign nation which had defaulted upon its obligations to our people. . . .”³¹ This letter, as well as a conversation with Roosevelt, persuaded the president not to oppose the Johnson Act. It is difficult to assess Roosevelt’s feeling, but he probably supported the bill to retain the support of the progressive and Republican dissidents who followed Johnson on foreign affairs. Domestic reforms were undoubtedly of the first priority at this stage of the New Deal.³²

On February 2, the Johnson Act began the final process of going to the House and back to the Senate for final confirmation. In its final form this act banned the flotation of loans in the United States to foreign governments in default in payments of obligations to our government. The act also prohibited the president from declaring a token payment of the war debt as meeting the original obligation.³³ Thus the president was stripped of some of his power in the area of foreign relations. Henceforth, only Congress could modify the payment of foreign debts. This began the “isolationist cyclone” which saw Congress isolate the United States from world affairs.³⁴

The Johnson Act of 1934 was, then, the culmination of the California senator’s campaign to prevent the State Department and big business from leading the United States into a disastrous foreign policy. The most significant broad conclusion to be drawn from studying Johnson’s early New Deal foreign policy is that twentieth-century isolationist thought was a diverse and many-clustered phenomena. Much of the historiography of this period portrays Rooseveltian internationalists and Johnsonian isolationists as unified groups. As Robert F.

Johnson, California’s senator from 1917 to 1945 (when this photo was taken), lived to see the United States embroiled in the world conflict he worked to avoid and died on the day the United States bombed Hiroshima, August 6, 1945.



Smith has shown, this is a grave oversimplification.³⁵ The differences, for example, between Johnson and Borah suggest the diversity of isolationist thought. In the spirit of the old progressives Johnson argued that foreign affairs led to a neglect of more important domestic problems. Indeed, the idea of continuing domestic reform was one of the main ingredients of Johnson's isolationism. However, the most important influence upon Johnson's policies was the belief that economic ties dictated political action. Hence, the early New Deal diplomacy of Hiram Johnson concentrated on developing attitudes that would support a completely self-sufficient home market. This would avoid, he believed, the entanglements that brought the United States into World War I.

THE PHOTO (top) on page 381 is from the San Francisco Public Library Special Collections; photo on page 378 from the Library of Congress; the others are from the CHS collection.

NOTES

1. Selig Adler, *The Uncertain Giant, 1921-1941: American Foreign Policy Between the Wars* (New York, 1965), pp. 150-183; Charles A. Beard, *American Foreign Policy in the Making, 1932-1940: A Study in Responsibilities* (New Haven, 1946), pp. 117-156; Wayne S. Cole, *An Interpretive History of American Foreign Relations* (Homewood, 1968), pp. 438-452; Robert A. Divine, *The Illusion of Neutrality: Franklin D. Roosevelt and the Struggle over the Arms Embargo* (Chicago, 1962), pp. 1-80; Lloyd C. Gardner, *Economic Aspects of New Deal Diplomacy* (Madison, 1964), pp. 3-93; Walter Johnson, *The Battle Against Isolation* (New York, 1944), passim; William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal, 1932-1940* (New York, 1963), pp. 197-230; George E. Mowry, *The Urban Nation, 1920-1960* (New York, 1965), pp. 129-154; David Shannon, *Between the Wars: America, 1919-1941* (Boston, 1965), pp. 214-228; William A. Williams, *The Tragedy of American Diplomacy* (New York, rev. ed. 1962), pp. 162-200; John E. Wiltz, *From Isolation to War, 1931-1941* (New York, 1968), pp. 1-17. For an incisive study of a segment of the isolationist mind of the 1920's and 1930's as it related to early New Deal diplomacy see, Warren I. Cohen, *The American Revisionists: The Lessons of Intervention in World War I* (Chicago, 1967), pp. 120-143.

2. Selig Adler, *The Isolationist Impulse: Its Twentieth Century Reaction* (New York, 1957), pp. 161-162, p. 241, p. 265. Adler's conclusions reflect his strong belief in collective security. This predetermined viewpoint produces some extremely negative judgments upon Johnson's foreign policy. See, for example, the following statements: "Hiram Johnson, on the other hand, was a staunch isolationist who wanted very much to be President. An intense isolationism was helpful to him in playing this double role, for it was a doctrine common to both extreme wings of his party. It was the main ingredient of Johnson's old-fashioned American program which, he insisted, would furnish all the answers to all our foreign, domestic, economic and spiritual problems." *The Isolationist Impulse*, p. 161. "... In the ranks of these die-hards were such 'George Washington' isolationists as Senators Borah and Johnson, who seemed impervious to the fact that nineteenth-century international law, defied and excoriated by the totalitarian brigands, had become an anachronism." Adler, *The Uncertain Giant*, p. 172. For a recent revisionist approach to the Johnson-Borah brand of isolationism and its attempt to avoid war as an instrument of national policy, see Orde Pinchney, "William E. Borah: Critic of American Foreign Policy," *Studies on the Left*, I (1960), 48-61.

3. Allan Nevins, *The New Deal and World Affairs: A Chronicle of International Affairs, 1933-1945* (New Haven, 1950), pp. 42-45. Nevins, much like Adler, is writing from the viewpoint of Rooseveltian liberalism. His description of the intent behind the Johnson Act misrepresents the California Senator's intentions. See, for example, the following description: "To strike at delinquent governments, Senator Johnson was willing to cause these citizens heavy loss." pp. 42-43. This erroneous description fails to point out that the Johnson Act would prevent the sale of fraudulent securities to American citizens and that the measure protected the small investor. While mentioning Johnson's hatred of big-business Nevins fails to point out that the act prevented bankers and businessmen from profiting at the hands of the small investor. In analyzing isolationist policies the

following literature is very important, McGeorge Bundy, "Isolationists and Neutralists," *Confluence*, I (June, 1952), 70-78; Alexander DeConde, "On Twentieth-Century Isolationism," in DeConde, ed., *Isolation and Security* (Durham, 1957), pp. 3-32; Bernard Fensterwald, "The Anatomy of American 'Isolationism' and Expansionism," *Journal of Conflict Resolution*, II (June-December, 1958), 111-139, 280-309. There is no adequate biography of Johnson and the study of his influence upon foreign affairs is limited to an unpublished MA thesis, see Robert S. Johnson, "Senator Hiram Johnson and American Foreign Relations," (Unpublished MA thesis, University of California, Berkeley, 1945).

4. Beard, *American Foreign Policy in the Making*, p. 6; J. Chal Vinson, "War Debts and Peace Legislation: The Johnson Act of 1934," *Mid-America: An Historical Review*, 50 (July, 1968), 206-222. For an analysis of the Senate debates on the war debts controversy and the general question of neutrality, see David H. Mickey, "Senatorial Participation in Shaping Certain U.S. Foreign Policies, 1921-1941," (Unpublished Ph.D. dissertation, University of Nebraska, 1954). Essential in understanding Johnson's foreign policy is a speech he made in the Senate on March 15, 1932, in which he argues that the Department of Commerce was aiding American bankers in their Latin American enterprises. See William A. Williams, ed., *The Shaping of American Diplomacy* (2 vols., Chicago, 1956), II, 715-717.

5. *Congressional Record*, 72 Cong., 1 sess., pp. 213-214, p. 539, p. 6053; *Foreign Relations*, I (1934), pp. 525-529; Vinson, "War Debts and Peace Legislation," 208-209. For an analysis of the war debt problem, see Benjamin D. Rhodes, "Reassessing 'Uncle Shylock': The United States and the French War Debt, 1917-1929," *The Journal of American History*, LV (March, 1969), 787-803.

6. Hiram W. Johnson to C. K. McClatchy, January 8, 1933, Johnson Papers, Bancroft Library, University of California, Berkeley.

7. *Ibid.*; Johnson to McClatchy, January 16, 1933, Johnson Papers. Johnson wrote a weekly letter to his close friend and political supporter, C. K. McClatchy, each weekend to inform him of developments in Washington. Johnson's mania over the alleged influence of Wall Street upon foreign policy is shown in a comment upon his fellow isolationist Senator William E. Borah: "His speech was unquestionably designed to aid the cause of cancellation, and I have no doubt it was made in conjunction with the requests and views of Wall Street international bankers. . . ." Johnson to McClatchy, January 8, 1933, Johnson Papers.

8. Vinson, "War Debts and Peace Legislation," 212-213.

9. Johnson to McClatchy, January 29, 1933, Johnson Papers. Johnson wrote of this meeting with FDR: "I told him that, in my opinion, the key position in his administration was that of Secretary of State, that since 1920, the State Department and our foreign relations had been absolutely in the control of Morgan and Company. . . ."

10. Johnson to Harold Ickes, February 1, 1933, Johnson Papers. For an analysis that suggests President Roosevelt was not a firm believer in collective security see, Robert A. Divine, "Franklin D. Roosevelt and Collective Security, 1933," *Mississippi Valley Historical Review*, XLVIII (June, 1961), 42-59.

11. *New York Times*, February 3, 1933, p. 4; Johnson, "Senator Hiram Johnson and American Foreign Relations," pp. 198-200; Johnson to McClatchy, February 4, 1933, Johnson Papers. In the February 4 letter to McClatchy Johnson continued to express his concern with Roosevelt: "I will confide to you that I don't like the way Roosevelt is monkeying around with our war debts." For an interpretation of Roosevelt's early foreign policy see, Donald F. Whitehead, "The Making of Foreign Policy During President Roosevelt's First Term, 1933-1937" (Unpublished Ph.D. dissertation, University of Chicago, 1952).

12. Johnson to McClatchy, February 19, 1933, Johnson Papers; Claiud L. Johnson, *Borah of Idaho* (New York, 1936), pp. 468-489; Marian C. McKenna, *Borah* (New York, 1961), pp. 306-318. For a study which suggests the wisdom of Borah's foreign policy, see Orde S. Pinckney, "William E. Borah and the Republican Party, 1932-1940" (Unpublished Ph.D. dissertation, University of California, Berkeley, 1958).

13. Johnson to John F. Neylan, February 24, 1933, Johnson Papers; Donald Wayne Brandon, "Franklin D. Roosevelt's View of the United States' Position in World Affairs" (Unpublished MA thesis, University of California, Berkeley, 1950)

14. Divine, *The Illusion of Neutrality*, pp. 41-44, *New York Times*, May 28, 1933, VI, p 15

15. Richard N. Current, "The United States and 'Collective Security': Notes on the History of an Idea," in DeConde, *Isolation and Security*, p. 47; Divine, *The Illusion of Neutrality*, pp. 51–52; Manfred Jonas, *Isolationism in America, 1935–1941* (Ithaca, 1966), pp. 32–69; "Exportation of Arms or Munitions of War," Hearing before the House Committee on Foreign Affairs, 73d Cong., 1st sess. (Washington, 1933). For the classic analysis of what Prof. Borchard calls "honest neutrality," see Borchard and William P. Lage, *Neutrality for the United States* (New Haven, 1937).
16. Divine, *The Illusion of Neutrality*, pp. 45–47.
17. *New York Times*, March 23, 1933, 7; Wayne S. Cole, "Senator Key Pittman and American Neutrality Policies, 1933–1940," *Mississippi Valley Historical Review*, XLVI (March, 1960), 644–662.
18. Johnson to John Bassett Moore, May 5, 1933, Johnson Papers.
19. *New York Times*, April 7, 1933, p. 30; April 16, 1933, p. 7; April 25, 1933, p. 27; May 9, 1933, p. 1; May 14, 1933, p. 9; Leuchtenburg, *Franklin D. Roosevelt and The New Deal*, p. 50, 90–91.
20. Department of State, *Peace and War: United States Foreign Policy, 1931–1941* (Washington, 1943), pp. 183–186; Robert A. Divine, *The Reluctant Belligerent: American Entry into World War II* (New York, 1965), pp. 5–7; Cordell Hull, *The Memoirs of Cordell Hull* (2 vols., New York, 1948), I, 229; John E. Wiltz, *In Search of Peace: The Senate Munitions Inquiry, 1934–1936* (Baton Rouge, 1963), p. 172; *New York Times*, May 25, 1933, p. 12; May 26, 1933, p. 3.
21. Johnson to Moore, May 25, 1933, Johnson Papers; Jonas, *Isolationism in America, 1935–1941*, 56.
22. Divine, *The Illusion of Neutrality*, 54; Hull, *Memoirs*, I, pp. 229–230; *New York Times*, May 30, 1933, p. 4. For a description of debate over the role of economic recovery as it related to foreign affairs, see Eliot A. Rosen, "Intranationalism vs. Internationalism: The Interregnum Struggle for the Sanctity of the New Deal," *Political Science Quarterly*, LXXXI (June, 1966), 274–297.
23. Johnson to Major Edward Wynne, July 14, 1933, and Johnson to McClatchy, June 4, 1933, Johnson Papers; *New York Times*, June 15, 1933, p. 6; June 26, 1933, p. 11. For a brilliant analysis of commitment to isolationist thought, see Richard Hofstadter, *The Progressive Historians* (New York, 1968), pp. 318–46.
24. Johnson to McClatchy, August 23, 1933, Johnson Papers. In light of Johnson's continual argument that England benefitted from the New Deal and American foreign policies see, Richard H. Pear, "The Impact of the New Deal on British Economic and Political Ideas," *The Bulletin of the British Association for American Studies*, IV (August, 1962), 17–26. Pear suggests that the New Deal had a very minimal influence upon England.
25. Johnson to J. U. Hemmi, August 25, 1933; Johnson to Charles L. McNary, July 28, 1933; Johnson to Robert J. Pherson, July 21, 1933; Johnson to Wynne, July 14, 1933, all in Johnson Papers.
26. Johnson to Franklin D. Roosevelt, August 26, 1933, Johnson Papers.
27. *Ibid.*
28. Johnson to L. E. Hanchett, October 14, 1933, Johnson Papers.
29. Johnson to Harold Ickes, October 17, 1933, Johnson Papers.
30. Johnson to William M. Franklin, October 23, 1933; Johnson to Hanchett, October 14, 1933; Johnson to Ickes, September 21 and October 17, 1933, all in Johnson Papers.
31. Johnson to Roosevelt, January 29, 1934, Johnson Papers.
32. Arthur M. Schlesinger, Jr., *The Coming of the New Deal* (Boston, 1959), pp. 504–505; Vinson, "War Debts and Peace Legislation," 217–218; Johnson to McClatchy, February 1, 1934, Johnson Papers.
33. Johnson to Joseph W. Byrns, February 3, 1934, Johnson Papers; *New York Times*, January 12, 1934, 1; January 13, 1934, 2; January 14, 1934, 12; January 18, 1934, 15; January 30, 1934, 15; Vinson, "War Debts and Peace Legislation," 217–220.
34. Divine, *The Illusion of Neutrality*, pp. 58–59; Mowry, *The Urban Nation*, pp. 131–132; Vinson, "War Debts and Peace Legislation," 220–222; Johnson to Edwin M. Borchard, April 16, 1934; Johnson to McClatchy, March 11, 1934, March 25, 1934, April 16, 1934; Johnson to Moore, April 9, 1934; Johnson to Neylan, March 25, 1934, all in Johnson Papers.
35. Robert F. Smith, "American Foreign Relations, 1920–1942," in Barton J. Bernstein, ed., *Towards A New Past: Dissenting Essays in American History* (New York, 1967), pp. 232–262.

REVIEWS

Charles Wollenberg, *Reviews Editor*

History as Community Education: The California History Center at De Anza College

"Regardless of his approach or educational philosophy, every teacher hopes somehow to get inside the student—to get under his skin—to affect him and leave a permanent mark. Without this hope we would be merely baby sitters and entertainers." Thus reflects Walter Warren, history instructor at De Anza Community College in Cupertino near San Jose, about his philosophy of teaching. Dr. Warren also is director of the college's California History Center, and so it is not surprising that this philosophy permeates the activities of the Center.

These activities date back to 1967 when an informal lunch group of Warren's students decided to publish a series of student research papers on local history. This effort evolved into a quarterly publication sold on and off campus and eventually into the creation of the Center itself. In 1972-73 the Center received a \$56,000 grant from the National Endowment for the Humanities to encourage the development of local history courses and materials for elementary and secondary teachers. A course on Bay Area history, involving lectures and field trips, was presented to over 100 Santa Clara Valley teachers, and grant money also was used to purchase media equipment, prepare programs, and hire permanent staff.

Today the Center gives three courses through the college—"Living California Heritage," "The Industrial Heritage Conference," and "Local History Research and Writing." In addition to the use of textbooks and classroom lectures, courses emphasize on-site visitation and primary research. The Center also is a valuable resource for scholars interested in the history of the Santa Clara Valley. Fourteen-hundred student research papers on almost every aspect of the valley's development are on file, along with a growing collection of taped oral history interviews, photographs, letters, newsclippings, and historical pamphlets. The student publication program continues and thrives, with nineteen titles already in print and four more on the way.

In addition to faculty and student participation, the Center has strong ties to the non-academic community. Two community groups, the "Consejo Historiador" and the "Amigos de Historia," assist in supporting, planning, and promoting the Center's activities. "Old-timers" are recognized as a valuable source of encouragement, inspira-

tion and counsel and are frequently invited to share their valuable experiences and perspectives through talks and interviews. As well, the Center organizes local preservation projects, the most ambitious of which is the restoration of "Petit Trianon," a mansion designed by Willis Polk in the 1890's as a country home for Ella and Charles Baldwin. The house is located on the De Anza campus, and Dr. Warren hopes to raise \$400,000 to transform it into a community museum and permanent home for the Center. The project is one of the city of Cupertino's major Bicentennial efforts.

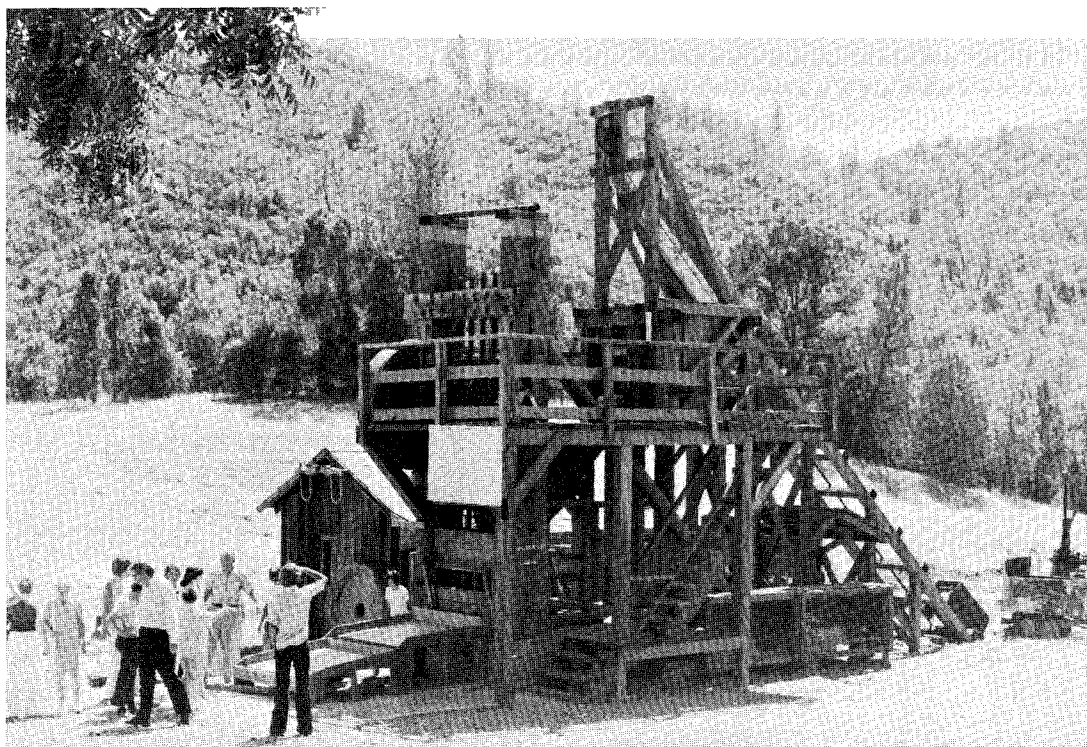
Now that the NEH grant has been depleted, financial assistance comes from private donations, student-body funds, and, this year, for the first time, a budgetary allocation from the Foothill College district. The San Francisco Federal Savings and Loan Association has made grants totaling about \$9000 to support publication of three local histories, and the Security Savings and Loan Association has financed a history of Sunnyvale.

The California History Center is an active publishing house, a growing archive, and an organizer of local preservation efforts. But most of all, it is an extraordinary effort at community education, particularly appropriate for a community college such as De Anza. "The emphasis," says Associate Director Seonaid McArthur, "is on living history, not history that is learned in texts or lectures and then parroted in a bluebook at the end of the quarter. We want the student to encounter the historic site, document, or experienced individual and personally interpret and recreate a period in history."

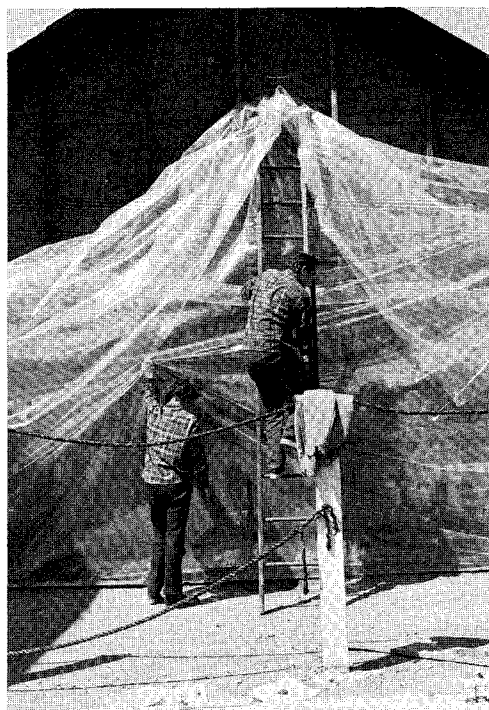


Focusing on local history, the Center's history of Sunnyvale discusses this 1907 food processing plant which employed nearly everyone in the area each year between June and December.





Committed to "living history," students at the Center spend time in the field preserving San Jose's only remaining adobe building (right) and examining a quartz crusher at Mariposa (above).



OPPOSITE: The Center is working to restore the "Petit Trianon," a summer home built in the 1890's, which will become its permanent headquarters.

Publications Available from the California History Center

Order from CHC, 21250 Stevens Creek Boulevard, Cupertino, CA 95014.

Farm, Home, and Forge. 1970.

Diary of Cora Baggerly Older. Diary of the wife of the pioneer progressive newspaper editor, Fremont Older. 1971.

The Grizzly Bear in the Land of the Ohlone: Stories of life in and around the Santa Cruz Mountains and in Santa Clara County when the Grizzly Bear Reigned. 1971.

Palo Alto 1906. Descriptive account of relief attempts made in and around Palo Alto for earthquake-ravaged San Francisco. 1972.

Los Altos Reminiscences. History of Los Altos, including personal reminiscences. 1972.

Hidden Villa Tales. 1973.

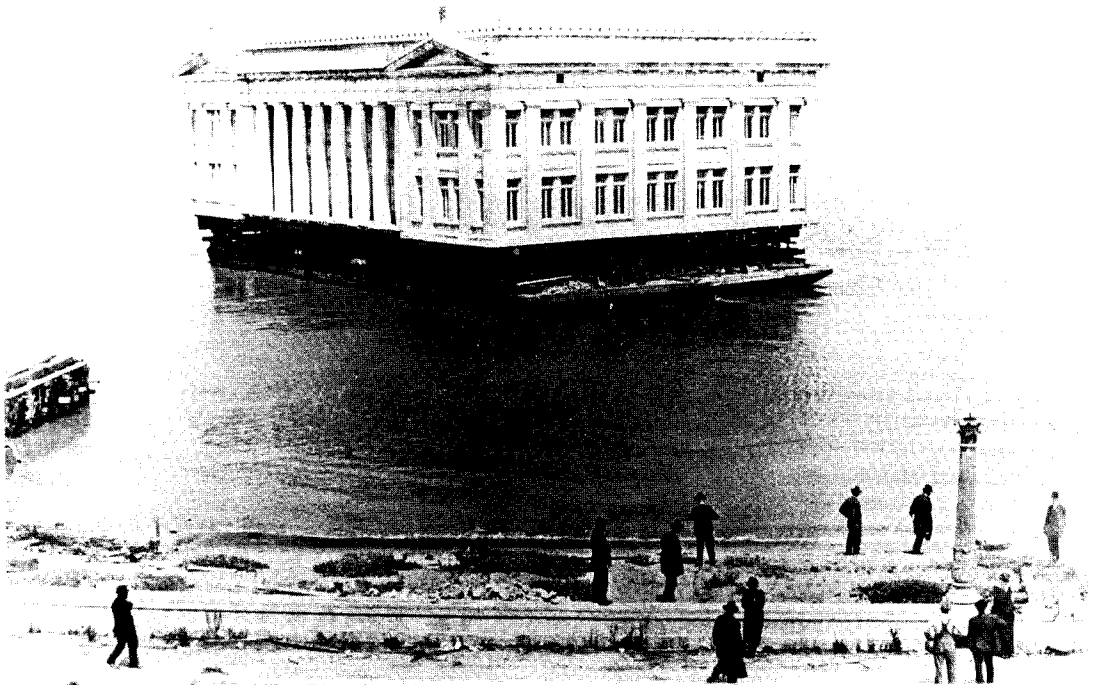
Marina Memories. 1973.

Sunnyvale: City of Destiny. 1974.

The Costanoan Indians: The Indian culture from the mouth of the Sacramento River, south to Monterey and inland past the Salinas River. Edited by Robert F. Heizer. 1974.

Local History Studies: A Style Guide. 1974.

The Center's publication Marina Memories documents the 1915 Panama-Pacific International Exposition and its disassembly, including the dramatic removal of the Ohio State Building south on San Francisco Bay to San Carlos. CHS Collection.



Book Reviews

THE EXPEDITIONS OF JOHN CHARLES FRÉMONT. Volume II, THE BEAR FLAG REVOLT AND THE COURT-MARTIAL. Edited by Mary Lee Spence and Donald Jackson. (Urbana: University of Illinois Press, 1973. xlix, 519 pp. Illustrations, map, bibliography, index. \$17.50.)

THE EXPEDITIONS OF JOHN CHARLES FRÉMONT. Volume II, SUPPLEMENT: PROCEEDINGS OF THE COURT-MARTIAL. Edited by Mary Lee Spence and Donald Jackson. (Urbana: University of Illinois Press, 1973. xvi, 464 pp. Bibliography, index. \$12.50.)

JESSIE FRÉMONT AT BLACK POINT. By Lois Rather. (Oakland: The Rather Press, 1974. 108 pp. Illustrations. \$15.00.)

Reviewed by FEROL EGAN, author of Sand in a Whirlwind: The Paiute Indian War of 1860 (1972) and The El Dorado Trail: The Story of the Gold Rush Routes Across Mexico (1970). He is writing a biography of John Charles Frémont.

Major historical figures deserve re-examination after long periods of neglect. Such is the case with John Charles Frémont who has been either hero or villain in California history for many years. In both cases, his true character and his contribution to California's past and to the scientific exploration of the West have been overlooked for twice-told tales that are good in the telling but not worth much in evaluating such a dynamic figure.

Since the late Allan Nevins last updated his biography of Frémont, much more information about the life and times of the man has been examined. Through the work of Spence and Jackson, materials from major and minor research libraries have been subjected to first-rate, scholarly examination. In these two books, which make up Volume II of a projected three-volume study, the editors have maintained their objectivity and ability to dig and sift the tailings of historical ore.

The years 1845-1848 were stormy and controversial for Frémont. After his highly successful second expedition in 1843-1844, he had reached his peak as a national hero. His reports were read by thousands of people, and these beautifully written descriptions of the way west were put to good use by the flood-tide of emigration bound for Oregon and California. As the editors point out, this was a restless period in the nation's history. During the three years from 1845 to 1848, Oregon, Texas, California, and the rest of the Mexican borderlands were brought into sharp focus as country destined to become key sections of the United States.

Using selections from an extremely wide range of correspondence that includes letters by Colonel John James Abert, Senator Thomas Hart Benton, James Clyman, Jessie Benton Frémont, Albert Gallatin, Stephen Watts Kearny, Thomas Oliver Larkin, Robert F. Stockton, and Mariano Guadalupe Vallejo plus many others from a large cast of characters, the editors have given a chronological view of what was in Frémont's mind, and of what his friends and enemies were thinking at this pivotal time in American history. Then, to fill out the total picture, they have included selections from Frémont's *Memoirs*, Edward M. Kern's *Journal* of the 1845 expedition, the Articles of Capitulation signed by the Mexican officers when they surrendered to Frémont at the north end of Cahuenga Pass on January 13, 1847, and the order for Frémont's arrest that was issued by Kearny at Fort Leavenworth on August 22, 1847. In short, very little has been overlooked.

The only obvious point-of-view that is not given the attention it deserved is that of John Sutter. In that this volume deals with the conquest of California, the failure of the editors to make use of the Sutter letters in The Bancroft Library and in the California State Library is rather curious. Other than that, though, there is very little to criticize. A man named Brown was not identified; but if the editors had checked applications for pensions by former members of the California Battalion in the National Archives, they would have discovered that this was Francis Drake Brown who had come to California from Missouri in 1846.

In general, the key documents are included, and the presentation of these primary sources is a good step in the direction of pointing out the faulty and highly prejudiced view of Frémont that can be traced directly to the writing of Josiah Royce.

The *Supplement* is a complete reproduction of the *Proceedings of the Court-Martial*. The introduction gives a good summary and analysis of what took place in this famous trial, and the notes help to make clear the roles of the various characters caught up in a tempest that should not have happened. Yet, the give-and-take of the trial makes splendid reading, and it shows that Frémont was the man caught in the middle. Both Kearny and Stockton were tarnished by their respective roles, and President Polk appeared to be about as clear in his policy toward the possible conquest of California as a man asked to consider what should be done about an unexplored continent just west of the Mississippi River.

Altogether, Spence and Jackson have done a fine editing job on these two books that make up the second volume of *The Expeditions of John Charles Frémont*. A few omissions here and there are minor when one considers the task they faced. Throughout their work, one finds the real craft of first-rate scholarship—intelligent footnotes, an objectivity that avoids blind partisanship, and a highly creative organization of a mass of material. For this, all historians of this time of Manifest Destiny are greatly in their debt.

In contrast to the work of Spence and Jackson, Lois Rather's slim book, *Jessie Frémont At Black Point*, is in the class of amateur scholarship. Still, it is a nicely designed book, and it contains unusual pictures of the idyllic life the Frémonts enjoyed when they lived in the home they called Porter's Lodge. On this point of land facing toward Alcatraz Island, on this stretch of ground that was first named Point Médanos, then Point San José, then Black Point, and finally Fort Mason, the Frémonts entertained such guests as Thomas Starr King, Bret Harte, and Edward Fitzgerald Beale. This time in the lives of John Charles and Jessie was one of being intellectual leaders, patrons of the arts for the rough but aspiring new city of San Francisco. In contrast to the years of exploration and the troubled later years, life at Black Point was a high water mark of gentility for the handsome couple; and this short book about those good times is a calm footnote in the lives of John Charles and Jessie Benton Frémont.

A CALIFORNIA MIDDLE BORDER: THE KERN RIVER COUNTRY, 1772-1880. By William Harland Boyd. (Richardson, Texas: Havilah Press, 1972. x, 226 pp. Illustrations. \$8.00.)

Reviewed by PAUL W. GATES, *author of many books and articles on the history, issues, and uses of California land.*

Professor Boyd has capped his years of teaching, study, writing, and living in Bakersfield with this history of the Kern River country. Boyd is a master of the detailed history of the region: its geography, mountains, canyons, streams, passes, and towns; its early exploration; cattle ranching, mining, and the beginnings of irrigation farming; the

simplicity and crudity of pioneer life, the lawlessness and reckless disregard for life, and the finer side of human relations, as well. While writing what professional historians once thought of as antiquarianism, Boyd has eschewed efforts to glamorize the founders, has dealt fairly with delicate issues such as the "no-fence law" between settlers and cattlemen, has not made villains of land speculators, and, most unusual, exhibits no deep feelings toward the Southern Pacific Railroad and its promoters. Highlights of his treatment are the accounts of mining in geographical areas largely neglected by other writers; of trails, the building of roads, and stage coach operations; of the peaceful character of the Kern Valley Indians; and of the beginnings of mercantile operations in the numerous small communities fostered by mining, cattle ranching, and agriculture. The work is written mostly for local people, I would judge, who will not be troubled by the plethora of names that continually appear (in one paragraph, thirty-five names are mentioned). It is a synthesis of the best writing that has been done on the Kern River country, and there is a lot of it, as the extended bibliography suggests. But it is more: it is a balanced, judicious, informative, and useful book.

On occasion I would have liked more information, particularly about the Montgomery contract for the building of an irrigation canal and its long sequel, about the actual amounts of gold that were mined and the dividends that may have been paid on the more successful and long lasting of the mining combinations, about the size of operations of Miller & Lux, Haggin & Tevis, and Cox & Clarke, and about the water question. Research in manuscripts in the Huntington Library, the Bancroft Library, and the California State Library would have helped.

As a latecomer to the study of Kern County who has profited much from reading *A California Middle Border* and who is positively envious of the way Boyd writes so intimately of every aspect of an area larger than the state of Massachusetts, I hope that he will produce for us a sequel to this volume. To do so he will have to use the United States and California state documents and records of the oil and agribusiness organizations that have done so well by themselves in this lush country; he will want to deal with the battle of the titans over the waters of the Kern; he will have to study the angry outcries against the Southern Pacific for its treatment of settlers; he will wish to analyze some of the questions raised by critics of the California water plan. And, being a fair-minded, dispassionate, and tolerant Californian, he will forgive an outlander for making such obvious suggestions.

LOS ANGELES AND ITS ENVIRONS IN THE TWENTIETH CENTURY: A BIBLIOGRAPHY OF A METROPOLIS. Edited with an introduction by Doyce B. Nunis, Jr. (Los Angeles: Ward Ritchie Press, 1973. xvii, 501 pp. \$35.00.)

Reviewed by ANDREW F. ROLLE, *author of* California: A History (New York, revised edition, 1969) *and of* Los Angeles, A Students' Guide (New York, 1965).

Bibliographies are difficult to review. Too easily one is apt to characterize them as fleshless, monolithic entities devoid of human involvement. Instead, much sacrifice (and sometimes demeaning activity) may lie behind such books. In the case of this bibliography, the editor alone put in more than five years on the project and still other efforts were expended by his colleagues. All of this was done without royalties, payments, or honoraria, as a labor of love. When one considers the vast sums of money spent annually by a major city (and county) like Los Angeles, this niggardliness toward professional scholarship somehow seems wrong.

Originally, this volume began as the Metropolitan History Project, a plan to compile

a comprehensive history of Los Angeles during the twentieth century, conceived by the late Judge Fletcher Bowron, the city's mayor from 1938 to 1953. What finally emerged is this profile of writings about Los Angeles from 1900 to 1970. Four out of seven-dozen bibliographical categories reflect the major problems confronted within the area: education, transportation, traffic, and water supply. Other categories run from agriculture to welfare. The book's explicit author and subject indexes are also invaluable.

Sprawling Los Angeles is lucky to have inspired such a product as this. Probably no other American city (or county) can now boast of so complete an inventory of writing about it. The book is 501 pages long and includes almost 10,000 separate entries, including articles, monographs, and books. A careful perusal of its contents will indicate that only a few obscure printed journals remained unconsulted. The sheer bulk of newspapers and government documents about Los Angeles also dictated that these be deleted. Compilers also omitted popular and news magazines.

It is too much to hope for, and probably undeserved by Los Angeles, but the next step should be a bibliography of documents about that metropolis. If such a task is ever undertaken, it should be subsidized by a private foundation or other philanthropic institution. Scholars alone ought not to be the guarantors of a city's recorded history.

THE RISE OF THE PUBLIC LIBRARY IN CALIFORNIA. By Ray E. Held. (Chicago: American Library Association, 1973. xiv, 203 pp. \$12.50.)

Reviewed by JAMES H. REILLY, *assistant to the chief of the main library, San Francisco Public Library.*

This is the second of three volumes detailing the account of public libraries in California. Covering primarily the social library, antecedent to the free, tax-supported library, it follows Held's earlier *Public Libraries in California, 1849-1878*. This interesting volume sketches for us not only a well-detailed picture of the development of the "public" library concept to 1917, but also gives us an idea of the social and political scene of days which made this evolution possible.

Changes in library service concepts in the period 1890-1910 brought innovation to librarianship. Outstanding library leaders, notably James Gillis, bestowed strength on the growth and stature of the public library through liberalization of the concept of the role of public libraries and expansion of library service programs, formation of the California Library Association, establishment of training schools for librarians, and broadening of the state library's role from that of servant to the Legislature to one of leadership in serving the total populace of the state.

The importance of philanthropists such as Carnegie to library building cannot be overestimated. In spite of his buildings' architectural shortcomings and the usual delays attendant on construction, one cannot but wonder how different California library history might have been without Carnegie-financed library buildings.

Although some of the statements in the book may be considered assumptions and therefore not precisely scholarly, they do provide a feeling of authenticity and do not detract from, but rather tend to enhance, the narration of historic fact. Numerous asides depict life in those times in a homely fashion; for example, closing the library because it was too hot, or because the floors needed waxing.

Rise of the Public Library in California, with its well-documented factual detail, fills a void in the history of California's cultural institutions by properly placing the public library among those elements which blend to compromise the California heritage. Held's trilogy will be considered a standard for years to come.

CALIFORNIA'S RAILROAD ERA, 1850-1911. By Ward McAfee. (San Marino: Golden West Books, 1973. 256 pp. Illustrations, maps. \$8.95.)

Reviewed by NORMAN E. TUTOROW, *former chief of the Archives Branch at the Los Angeles Federal Records Center.*

In this new link in the ever-lengthening chain of railroad bibliography on the Central Pacific Railroad, Ward McAfee brings to the reader neither merely another book of facts nor an entirely new approach to the subject, but rather a fresh and provocative interpretation that suggests a new way of viewing many well-known events in the history of the transcontinental railroad. The author focuses upon the friction and conflict that developed as the railroad extended first into California, then southward, and again eastward to the Gulf. The author's consistent, pervasive, and persuasive thesis is that competition among the communities along which the railroad built is the basic element for explaining most of the opposition to or support of the Central Pacific-Southern Pacific Railroad. The contending communities were sometimes small towns, at other times larger cities, and on occasion even counties, all of which either vied with one another for railroad favors or placed themselves steadfastly in the path of railroad development to prevent at every turn its extension—extension which proved irresistible.

McAfee's major contribution to this well-known story—which at times he necessarily reiterates—is his discovery of the true motives behind the policies of these various communities in conflict. While these communities (whether towns, cities, or counties) insisted that they opposed monopoly in principle, particularly railroad monopoly, they were opposed in reality only to that monopoly which conferred more benefits upon their competitors than it did upon them in what became a mad scramble to secure positions of economic paramountcy in the quest for more people, larger government largess, and increased railroad business. Smaller towns sought the recognition that would come if a railroad passed through their centers, while the larger coastal cities were anxious to become the terminus of the railroad, a position assuring them economic dominance as the west-coast emporium for not only transcontinental business but international commerce as well.

After synthesizing the oft-told battles over whether the railroad should cross the continent over the northern, central, or southern route, the author details the ensuing fights between communities as they tried to become railroad towns as the railroad pressed southward into Arizona. Communities that had earlier opposed the railroad "on principle" now found themselves bypassed by that road and thereby cut off from any hope of their long-dreamed wealth, while those that had supported the plans of the Central Pacific now found themselves richly rewarded by a grateful benefactor.

This book adds little to the story of the ensuing battles over rates as the Southern Pacific ran into competition from the Santa Fe; nor does its treatment of constitutional reform or the Progressive response to railroad involvement in state politics contribute anything new or important. And, at first glance, the reader is apt to conclude that the author's treatment of some of the central figures in this drama—Stanford, Huntington, Judah, Booth, Johnson, to name a few—is cursory; but he should not be faulted for not doing what he did not set out to do. This volume is worthwhile precisely because the author does succeed at what he attempted: he successfully blends a familiar story with many hitherto unused papers in order to substantiate his central thesis. And he skillfully interweaves over a dozen maps, almost 100 illustrations, and close to 250 footnotes into a readable narrative that, despite its popular subject matter, adds to the literature of that subject and results in a book that all California and railroad historians will want to add to their libraries.

ROUGHING IT. By Mark Twain. With an Introduction and Explanatory Notes by Franklin R. Rogers. (Berkeley and Los Angeles: University of California Press, 1974. xiii, 626 pp. Frontispiece and Map. Paper \$3.95.)

Reviewed by RODMAN W. PAUL, *Harkness Professor of History, California Institute of Technology, Pasadena.*

This new paperback, *Roughing It*, is a somewhat truncated version of the meticulously prepared text published in hardcover in 1972 under the joint sponsorship of the Iowa Center for Textual Studies and the Mark Twain Project at Berkeley. The Iowa textual specialists reconstructed the first edition (1872) in such a way as to come as close as possible to Mark Twain's presumed intent, as distinct from what actually appeared after the copy editors, typesetters, and proofreaders had contributed their minor distortions just a century ago. The Berkeley people, with Franklin R. Rogers as principal editor, supplied an introduction and highly detailed footnotes.

In converting the Iowa-California hardcover into a paperback, someone made the major error of omitting the last forty-six pages of supplementary material without warning the reader. The result is that although the title page pretentiously announces "Text Established by Paul Baender," there is not a word in the paperback edition to explain what is meant by the title page's assertion. What did Professor Baender do to the text? How does this text compare with that of the first edition? In the hardcover, elaborate "Textual Notes" explain this.

If this paperback was intended for classroom use, as one suspects, then there is a second shortcoming to consider. Franklin Rogers' introduction was well conceived to meet the needs of an advanced scholar whose concerns are highly specialized, but since the introduction talks solely of the small details in Mark Twain's life during the months of actual authorship, there is nothing to inform the beginning student about Mark Twain's life as a whole, nor about the significance of his western years, nor about the relationship of *Roughing It* either to Mark Twain's other books or to similar works by Mark Twain's contemporaries. Nor is there any discussion of the nature of *Roughing It* that can stand comparison with the insight offered by Henry Nash Smith in his brilliant chapter on this subject in *Mark Twain: The Development of a Writer* (1962).

California Check List

JAY WILLIAR, *Reference librarian*

The purpose of this list is to provide our readers with an on-going bibliography of recently published or soon-to-be-published Californiana. Major publishing firms' nationally-distributed products, small local history groups' limited editions, and individuals' efforts all are welcome. We ask only that the books or booklets concern the California scene and be recent publications (1974 or later, although some reprints will be accepted as space permits and significance demands).

We particularly desire to list publications which would not be well advertised elsewhere, works more likely to be publicized by word-of-mouth than by an organized publicity campaign. Hence, we are dependent to a considerable degree on the response of our readers. If you know of a recent unlisted publication on California, please notify the compiler of this check list. Be sure to include the following basic bibliographic data: author, title, location and name of publisher, date of publication, number of pages, and price. If the item is a limited edition published by an individual or small group, be sure to give the address where the book can be purchased and any special ordering instructions. Send this information to Jay Williar, Reference Librarian, California Historical Society, 2090 Jackson St., San Francisco, CA 94109. This listing in the *Quarterly* is, of course, free.

- Abajian, James de T., Compiler. *Blacks and Their Contributions To the American West: A Bibliography*. . . . Boston: G. K. Hall & Co. 1974. \$29.50. 483 pp.
- American Canal Society. *American Canal Guide* (Part I). Duarte: American Canal Society. 1974. \$.50; 4 pp. Publisher, 1932 Cinco Robles Dr., Duarte, CA 91010.
- Anderson, D. N., and B. A. Hall, eds. *Geothermal Exploration in the First Quarter Century*. Davis: Geothermal Resources Council. 1974. \$10.00 (paperbound), \$12.00 (hardbound). Publisher, P.O. Box 1033, Davis, CA 95616.
- Aquino, Valentin R. *The Filipino Community in Los Angeles*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover). Publisher, 4843 Mission St., San Francisco, CA 94112.
- Ave, Mario P. *Characteristics of Filipino Organizations in Los Angeles*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Avilez, Alexander. *Population Increases Into Alta California in the Spanish Period, 1769-1821*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Bean, Lowell J., and Thomas F. King, eds. *Antap: California Indian Political and Economic Organization*. Ramona: Ballena Press. [1974?] \$5.50. Publisher, P.O. Box 711, Ramona, CA 92065.
- Beatty, Donald R. *History of the Legal Status of the American Indian, With Particular Reference to California*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Buckingham, Thomas Hugh. *Rancho Lagunitas, Vacaville, 1880s*. Berkeley: n.p. 1973. unpagged.
- Catalog of Paintings by Theodore Wores in the Collection of the Saint Francis Memorial Hospital*. San Francisco: St. Francis Hospital. 1974. 16 pp. Illustrated. The Hospital, 900 Hyde Street, San Francisco, CA 94102.
- Cather, Helen V. *The History of San Francisco's Chinatown*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover). Publisher, 4843 Mission St., San Francisco, CA 94112.
- Chu, Limin. *The Images of China and the Chinese in the Overland Monthly, 1868-1875, 1883-1935*. San Francisco: R and E Research Associates. 1974. \$11.00 (soft cover).
- Clar, C. Raymond. *Out of the River Mist*. Santa Cruz: Forest History Society, Inc. 1974. \$3.50 (paper); 135 pp. Forest History Society, Inc., P.O. Box 1581, Santa Cruz, CA 95606.
- Coffman, Jerry L., and Carl A. von Hake, eds. *Earthquake History of the United States*. . . . Washington D.C.: U.S. Government Printing Office. 1974. Revised edition. \$2.80 postpaid. Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.
- Costa Mesa Globe Herald, 1928-1973*. On microfilm at Costa Mesa Historical Society through cooperation of Mr. Lee Jeunesse at Orange Coast College, Costa Mesa, Ca.
- Courtney, William J. *San Francisco Anti-Chinese Ordinances, 1850-1900*. San Francisco: R and E Research Associates, 1974. \$7.00

- (soft cover). Publisher, 4843 Mission St., San Francisco, CA 94112.
- Cruz, Gilbert, and Jane Talbot. *Chicano Bibliography, 1960-1972*. Austin: Jenkins Publishing Co. [1974?]. \$9.50. Publisher, P.O. Box 2085, Austin, Texas 78767.
- Dalbey, Alice F. *The Visitor's Guide to Point Reyes National Seashore*. Riverside, Ct.: Chatham Press, Inc. 1974. \$1.95; 79 pp. Publisher, 15 Wilmot Lane, Riverside, CT 06878.
- Dondero, Raymond S. *The Italian Settlement of San Francisco*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover). Publisher, 4843 Mission St., San Francisco, CA 94112.
- Ellison, William H. *The Federal Indian Policy in California, 1846-1860*. San Francisco: R and E Research Associates. 1974. \$11.00 (soft cover).
- The Ethnobotany of the California Indians: A Compendium of the Plants, Their Users, and Their Uses*. 2 monographs (No. 30). \$6.00. Museum of Anthropology, University of No. Colorado, Greeley, CO 80639.
- France, Edward E. *Some Aspects of the Migration of the Negro to the San Francisco Bay Area Since 1940*. San Francisco: R and E Research Associates. 1974. \$9.00 (soft cover).
- Georgas, Demitra. *Greek Settlement of the San Francisco Bay Area*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover).
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- Givens, Helen L. *The Korean Community in Los Angeles*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover).
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- de Graaf, Lawrence B. *Negro Migration to Los Angeles, 1930-1950*. San Francisco: R and E Associates. 1974. \$10.00 (soft cover).
- Guidebook: Death Valley Region, California and Nevada*. Shoshone, Ca.: Death Valley Publishing Company. 1974. \$7.50. Publisher, Shoshone, CA 92384.
- Hansell, Franz T. *An Opinionated Guide to San Francisco*. New York: Ballantine Books. 1973. \$1.25 (revised edition); 268 pp.
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- Heizer, Robert F., ed. *The Costanoans*. [Cupertino: De Anza College. 1974]. Volume 18 of Local History Studies.
- Heizer, Robert F. *The Destruction of California Indians*. Salt Lake City: Peregrine Smith, Inc. [1974?]. \$10.00. Publisher, P.O. Box 11606, Salt Lake City, Utah 84111.
- Hester, T. R., M. P. Mildner, and L. Spencer. *Great Basin Atlas Studies*. Ramona: Ballena Press. 1974? \$4.95; 60 pp. Publisher, P.O. Box 711, Ramona, CA 92065.
- Horn, Huston. *The Pioneers*. New York: Time-Life Books. c. 1974. 240 pp.
- Hutchinson, W. H. *California Heritage; A History of Northern California Lumbering*. Santa Cruz: The Forest History Society, Inc. 1974. Revised edition. \$2.85. Publisher, Box 1581, Santa Cruz, CA 95061.
- Khlebnikov, Kirill Timofievich. *Baranov, Chief Manager of the Russian Colonies in America*. Kingston, Ont.: Limestone Press. c. 1973. 140 pp.
- Kirby, Ruth A. *Gold Mining*. Riverside: Jurupa Mountains Cultural Center. c. 1974. 23 pp. Publisher, 7621 Highway 60, Riverside, CA 92509.
- Lederer, Lillian C. *A Study of Anglo-American Settlers in Los Angeles County Previous to the Admission of California to the Union*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Luciw, Wasył and Theodore. *Ahapius Honxharrenko and the Alaskan Herald*. San Francisco: R and E Research Associates. 1974. \$7.00 (hard cover).
- Mahakian, Charles. *History of Armenians in California*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Mayer, Robert. *San Francisco: A Chronological and Documentary History . . .* Dobbs Ferry: Oceana Publications. 1974. 152 pp.
- Maynard, Douglas H. *British Pioneers in California*. San Francisco: R and E Research Associates. 1974. \$9.00 (soft cover).
- McCullough, Sister Flavia M. *The Basques in the Northwest*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover).
- Minke, Pauline. *Chinese in the Mother Lode, 1850-1870*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover).
- Mitchell, Annie Rosalind. *A Modern History of Tulare County*. Visalia: Limited Editions of Visalia. [1974]. 203 pp.
- Montez, Philip. *Some Differences in Factors Related to Educational Achievement of Two Mexican-American Groups*. San Francisco:

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- Morison, Samuel Eliot. *The European Discovery of America: The Southern Voyages, A.D. 1492-1616*. New York: Oxford University Press. 1974. \$17.50; 758 pp.
- Moser, Halmar Forrest, and George Mathis, illustrator. *El Dorado Sketches*. Placerville: El Dorado County Chamber of Commerce. c. 1973. \$1.00; 25 pp. Publisher, Placerville, CA 95667.
- Muir, John. *Notes on My Journeying in California's Northern Mountains*. Ashland: Lewis Osborne Limited Editions. 1974. \$15.00; 80 pp. Lewis Osborne Limited Editions, Box 647, Ashland, Oregon.
- Naka, Kaizo. *Social and Economic Conditions Among Japanese Farmers in California*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover).
- Orange County's Past in Pencil: Historical Sketches*. Santa Ana: First American Title Insurance Company. [ca. 1974]. \$2.50. Publisher, P.O. Box 267, Santa Ana, CA 92702.
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- Pearl, Richard M. *Handbook for Prospectors*. New York: McGraw-Hill. 1973. \$14.50 (fifth edition); 472 pp.
- Radford, Evelyn. *The Bridge and the Building . . .* New York: Carlton Press, Inc. 1974. Diablo Valley College Book Store, Pleasant Hill, CA 94523.
- Raitt, Helen Hill, and Mary Collier Wayne. *We Three Came West*. San Diego: Tofua Press. [1974]. \$10.00. Publisher, 10457-F Roselle St., San Diego, CA 92121.
- Reynolds, Robert. *California: Its Coast and Desert*. [Portland: C. H. Belding. 1974]. \$22.00; 206 pp.
- Ross, Carol. *Geared for Good Times*. [n.p.: Ranger Way Press. 1974]. \$2.95; 94 pp.
- Ross, Ivy B. *The Confirmation of Spanish and Mexican Land Grants in California*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
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- Strand, Janann. *A Greene and Greene Guide*. Pasadena: Author. c. 1974. \$8.00; 120 pp. Author, P.O. Box 2725-D, Pasadena, CA 91105.
- Sully, Langdon. *No Tears for the General*. Palo Alto: American West Publishing Co. 1974. \$9.95.
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- Tom, Kim Fong. *Participation of Chinese in the Community Life of Los Angeles*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Wagner, Jack. *The Last Whistle*. Berkeley: Howell North. 1974. \$8.50.
- Wax, Marvin. *Mystique of the Missions*. Palo Alto: American West Publishing Co. 1974. \$12.50; 112 pp.
- Wayburn, Cynthia, and Peter Scott, eds. *In the Ocean Wind: The Santa Cruz North Coast*. Felton: Glenwood Publishers. 1974. \$9.75.
- Wimmer, Geraldine. *Social and Economic Aspects of French Activities in Early California*. San Francisco: R and E Research Associates. 1974. \$7.00 (soft cover).
- Wood, Ellen R. *California and Chinese: The First Decade*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Wu, Ching-Chao. *Chinese Immigration in the Pacific Area*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Yeardon, David. *Exploring Small Towns: 2. Northern California*. Los Angeles: Ward Ritchie Press. c. 1974. \$1.95; 123 pp.
- Yeretzian, Aram S. *A History of Armenian Immigration to America with Special Reference to Los Angeles*. San Francisco: R and E Research Associates. 1974. \$8.00 (soft cover).
- Younger, Evelle J. *Law in the School*. Montclair, N.J.: Patterson Smith Publishing Corp. c. 1974. \$2.00; 87 pp. Publisher, 23 Prospect Terrace, Montclair, N.J. 07042.

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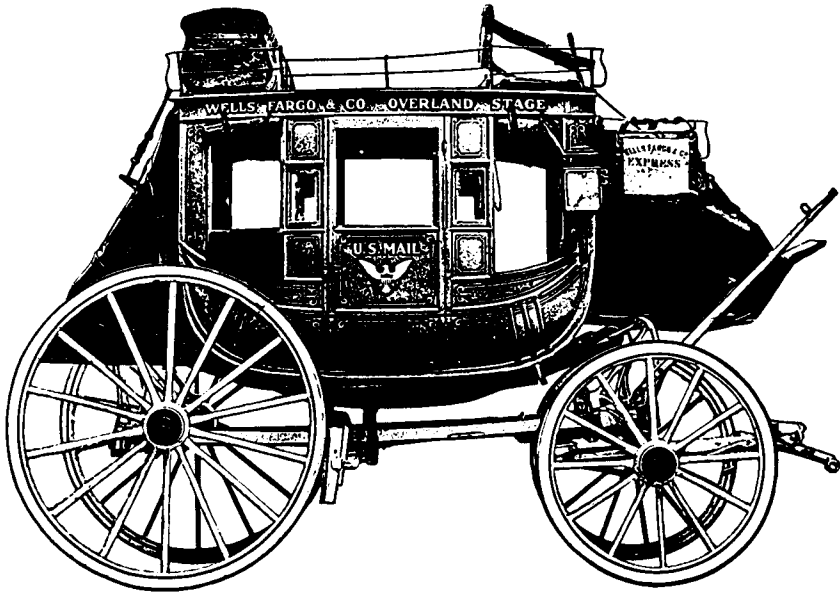
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